

EXHIBIT 34



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Transcript of Joanna Liotine-Leafblad

Date: July 7, 2022
Case: Walker -v- City of Chicago

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Transcript of Joanna Liotine-Leafblad

1 (1 to 4)

Conducted on July 7, 2022

	1		3
1	IN THE UNITED STATES DISTRICT COURT	1	A P P E A R A N C E S
2	FOR THE NORTHERN DISTRICT OF ILLINOIS	2	ON BEHALF OF THE PLAINTIFF:
3	EASTERN DIVISION	3	MS. SIERRA REED
4	- - - - - x	4	MS. JEANETTE SAMUELS
5	XAVIER WALKER, : 5	5	SAMUELS & ASSOCIATES, LTD.
6	Plaintiff, : 6	6	53 West Jackson Boulevard, Suite 831
7	v. : No. 20 C 07209 7	7	Chicago, Illinois 60616
8	CITY OF CHICAGO, et al., : 8	8	872.588.8726
9	Defendants. : 9		
10	- - - - - x	10	ON BEHALF OF THE DEFENDANT CITY OF
11		11	CHICAGO:
12		12	MS. NATALIE ADEEYO
13	REMOTE DEPOSITION of JOANNA LIOTINE-LEAFBLAD	13	MR. WARREN FASONE
14	Thursday, July 7, 2022	14	NATHAN & KAMIONSKI LLP
15	10:05 a.m. CST	15	33 West Monroe, Suite 1830
16		16	Chicago, Illinois 60603
17		17	312.612.2255
18		18	
19		19	
20		20	
21	Job No.: 455341	21	
22	Pages: 1 - 339	22	
23	Reported By: Michelle M. Yohler, CSR, RMR, CRR	23	
24		24	(Continued)
	2		4
1	The deposition of JOANNA LIOTINE-LEAFBLAD, held	1	A P P E A R A N C E S C O N T I N U E D
2	remotely pursuant to notice before Michelle M.	2	ON BEHALF OF THE DEFENDANT OFFICERS:
3	Yohler, CSR, RMR, CRR, a certified shorthand	3	MS. MISHA ITCHHAPORIA
4	reporter, CSR No. 84-4531.	4	MR. GRAHAM P. MILLER
5		5	BORKAN & SCAHILL, LTD.
6		6	20 South Clark Street, Suite 1700
7		7	Chicago, Illinois 60603
8		8	312.580.1030
9		9	
10		10	ON BEHALF OF THE COOK COUNTY STATE'S ATTORNEY'S
11		11	OFFICE:
12		12	MR. PATRICK DWYER
13		13	COOK COUNTY STATE ATTORNEY'S OFFICE
14		14	69 West Washington Street
15		15	Chicago, Illinois 60602
16		16	312.603.8600
17		17	
18		18	ON BEHALF OF THE DEPONENT:
19		19	MR. JOHN C. COYNE
20		20	LAW OFFICES OF JOHN C. COYNE
21		21	53 West Jackson Boulevard, Suite 1750
22		22	Chicago, Illinois 60604
23		23	312.929.4308
24		24	

Transcript of Joanna Liotine-Leafblad

2 (5 to 8)

Conducted on July 7, 2022

E X A M I N A T I O N S		5	P R O C E E D I N G S		7
3 WITNESS	PAGE		2 MS. REPORTER:	The attorneys participating	
4 JOANNA LIOTINE-LEAFBLAD			3 in this deposition acknowledge that I am not	physically present in the deposition room and have	
5 By Ms. Adeeyo.....	8		4 no objections to the witness being sworn in	5 remotely.	
6 By Ms. Itchhaporia.....	112		6	7 Counsel, please indicate your agreement	
7 By Ms. Reed.....	319		8 by stating your name, the party you represent, and	9 your agreement on the record, starting with the	
8 By Ms. Itchhaporia.....	332		10 taking attorney.	11 MS. ADEEYO: Natalie Adeeyo on behalf of	
9 By Ms. Reed.....	334		12 defendant City of Chicago, and I agree, as well as	13 my co-counsel, Warren Fasone.	
10 By Ms. Itchhaporia.....	335		14 MR. COYNE: On behalf of the witness, John	15 Coyne. I agree.	
11			16 MS. REED: Sierra Reed on behalf of	17 plaintiff. I agree.	
12			18 MS. ITCHHAPORIA: Misha Itchhaporia and	19 Graham Miller on behalf of the individual Chicago	
13 EXHIBITS	PAGE		20 Police defendant officers, and we agree.	21 MR. DWYER: Patrick Dwyer on behalf of	
14 EXHIBITS	PAGE		22 Cook County State's Attorney's Office, and I	23 agree.	
15 No. 1 Statement of Ashanti Wright.....	23		24		
16 No. 2 Statement of Mary Curry.....	43				
17 No. 3 Motion to Suppress Testimony					
18 Excerpt.....	57				
19 No. 4 Transcript of Video Statement of					
20 Xavier Walker.....	73				
21 No. 5 Xavier Walker Arrest Report.....	151				
22 No. 6 Blueback Excerpts.....	238				
23 No. 7 Motion to Quash Transcript.....	266				
24 (Continued)					
1	E X H I B I T S	6			
2 EXHIBITS	PAGE				
3 No. 8 Outline for Video.....	270		1 (WHEREUPON, the witness was duly sworn.)		
4 No. 9 Consent to Videotape Statement.....	273		2 JOANNA LIOTINE-LEAFBLAD,		
5 No. 10 Opening Remarks for Videotaped			3 called as a witness herein, having been first duly		
6 and Court-Reported Statements.....	278		4 sworn, was examined and testified as follows:		
7 No. 11 Videotape.....	292		5 EXAMINATION		
8			6 BY MS. ADEEYO:		
9			7 Q Good morning, Ms. Leafblad. Can you		
10			8 please state and spell your name for the record.		
11			9 A Yes. My name is Joanna, J-o-a-n-n-a,		
12			10 middle initial M, like Mary, and then I have		
13			11 Liotine, L-i-o-t-i-n-e, and my last name is		
14			12 Leafblad, L-e-a-f-b-l-a-d.		
15			13 Q And, Ms. Leafblad, are you present in the		
16			14 room that you're sitting in with anyone else?		
17			15 A No, there's nobody here. And my door is		
18			16 closed.		
19			17 Q Perfect. Thanks.		
20			18 I'm just going to quickly go over some		
21			19 ground rules with you for a deposition. First,		
22			20 please just answer questions aloud. Because we're		
23			21 not sitting in the same room, it makes my life		
24			22 easier, as well as the court reporter, as I'm sure		
			23 you're aware.		
			24 If you do not understand any of my		

Transcript of Joanna Liotine-Leafblad

3 (9 to 12)

Conducted on July 7, 2022

	9		11
1	questions, just let me know, and I'll either 2 repeat it or rephrase it. However, if you answer, 3 I'm going to assume that you understood it.	1 '96. I have not checked, but I think that's 2 correct. I started in the Child Support 3 Enforcement unit. After that, I was in the 4 Domestic Violence Prosecution unit at the 5 misdemeanor level.	
4	I also ask that you just wait for me to 5 fully ask my question before you begin your 6 response, and I'll try to pay you that same 7 courtesy as well.	6 And then I went to Felony Review, and then 7 I went to one of the branch courts of -- the 8 felony branch courts. I can't recall which one. 9 And then I went to our Homicide and Sex 10 Preliminary Hearings unit.	
8	I'm going to apologize now for speaking 9 over you because the likelihood of that happening 10 is pretty high.	11 In between there -- in between there I 12 went back and prosecuted -- or maybe it was -- it 13 could have been prior to Felony Review. I'm 14 sorry, I don't recall the order, but at one point 15 I was prosecuting misdemeanor domestic violence 16 cases under a grant and I specifically did those. 17 And that was for about two years, I think.	
11	Also, if you need to take a break at any 12 time, that's perfectly fine. I just ask that if I 13 have a question pending, you answer it before you 14 go on a break, okay?	18 And then I was the third chair in the 19 felony trial division, and then I left the office.	
15	A Okay.	20 And when I came back in September, I am an 21 Assistant State's Attorney in the Special 22 Prosecution Human Trafficking unit.	
16	Q Also, there's several attorneys on this 17 Zoom, so in the event there's an objection to one 18 of your questions, unless you're instructed not to 19 answer, you must answer, okay?	23 Q So is it fair to say you're currently 24 working as an Assistant State's Attorney in the	
20	A Okay.		
21	Q All right. So let's get started.		
22	First, Ms. Leafblad, how old are you?		
23	A I'm 53.		
24	Q And what is your current occupation?		
	10		12
1	A I'm an attorney. I'm an Assistant State's 2 Attorney with the Cook County State's Attorney's 3 Office.	1 Human Trafficking Unit?	
4	Q How long have you been an Assistant 5 State's Attorney with the Cook County State's 6 Attorney's Office?	2 A That's what I am doing currently, yes.	
7	A I returned to the -- I just came back to 8 the office in September of 2021. Prior to that, I 9 was in the office from March of 1994 to April -- 10 I'm sorry, I think it's March of 1996 until April 11 of 2003.	3 Q And for that period of time you left the 4 Cook County State's Attorney's Office before you 5 returned, were you working as an attorney?	
12	Q And your entire time with the Cook County 13 State's Attorney's Office, were you functioning as 14 an Assistant State's Attorney?	6 A Yes.	
15	A Yes.	7 Q And who was your employer?	
16	Q Now, while you were working as an ASA -- 17 I'll use that abbreviation -- were you always in 18 the same unit or department?	8 A I was self-employed during that time. I 9 did work Of Counsel with a few attorneys, and I 10 was an arbitration panelist for Cook County 11 mandatory arbitration.	
19	A No.	12 And then I did work for the Illinois State 13 Board of Education for a short period of time and 14 also for -- I was an employee of a law firm for a 15 short -- a little over a year.	
20	Q Can you just kind of walk me through your 21 career with the Cook County State's Attorney's 22 Office.	16 Q During the time in which you were 17 self-employed -- and I think you just mentioned 18 you were an employee of a law firm. What type of 19 law were you practicing?	
23	A The first time I was in the office, which 24 would have been -- I think I started in March of	20 A Primarily estate planning, which is wills 21 and trusts, probate, guardianship, real estate. 22 Those were the -- that's what I did primarily.	
		23 Q Did you perform any work in civil rights 24 litigation?	

Transcript of Joanna Liotine-Leafblad

4 (13 to 16)

Conducted on July 7, 2022

	13		15
1 A Not that I recall.		1 responsibilities were as an ASA?	
2 Q And during that period of time in which		2 A We would be called to a detective area.	
3 you weren't working for the Cook County State's		3 Sometimes it could be elsewhere, sometimes a	
4 Attorney's Office, did you do any work in criminal		4 police district or a hospital, depending on the	
5 defense?		5 case. And we would review the paperwork -- you	
6 A Not specifically. I might have appeared		6 know, the reports and any documentation that there	
7 in court for somebody to cover a court date, but I		7 was and speak to the police officers and	
8 specifically didn't litigate any criminal defense		8 detectives, interview witnesses, victims, and	
9 matters that I -- not that I recall. It wasn't		9 offenders -- or people who are in custody.	
10 something I looked for.		10 Q When you said you would review reports and	
11 Q Understood. So in your current position		11 documents, are you referring to police reports	
12 working in the Human Trafficking Unit, what would		12 that would be contained in the detective's	
13 you say your duties are?		13 investigative file?	
14 A Well, we receive cases -- we work under		14 A Well, I would review police reports. I	
15 the purview of a grant, so we receive cases that		15 don't know what -- I've never been -- I was never	
16 involve victims who are, you know, the victims of		16 handed a file, a detective's investigative file,	
17 involuntary servitude and sexual assault or abuse		17 but I did review police reports.	
18 within that -- within the involuntary servitude		18 Q And then you also said you would speak to	
19 and, you know, any victims who are trafficked.		19 the officers, the detectives working up that case;	
20 And so I prepare cases for -- you know, I		20 is that correct?	
21 do discovery, draft motions if needed, argue		21 A Yes.	
22 motions if necessary, and, you know, ultimately go		22 Q Okay. And, just generally, what would you	
23 to trial unless the matter comes to some other		23 speak to those officers or detectives about?	
24 resolution.		24 MS. REED: I'm going to object --	
	14		16
1 Q Understood. Ms. Leafblad, I notice that		1 MR. COYNE: I'm going to object to	
2 you've been looking down a lot. Do you have a		2 foundation.	
3 document in front of you?		3 Go ahead.	
4 A No. I'm looking down -- when I think		4 MS. REED: I'm going to object to	
5 about my answer, I look down or look up. I		5 foundation.	
6 apologize.		6 BY MS. ADEEYO:	
7 Q No, no need to apologize. I just want to		7 Q You may proceed.	
8 double-check if you're referring to a résumé or,		8 A Well, whatever they called in. So, I	
9 you know, something of that sort.		9 mean, it could be any number of things. So I	
10 A Okay.		10 can't -- that's really the best answer I can give,	
11 Q Okay. So I know you mentioned that you		11 whatever they were calling about, then we would go	
12 worked in Felony Review for the Cook County		12 and talk to them about what they called in.	
13 State's Attorney's Office. Do you recall what		13 Q And when you say what they called in, were	
14 period of time that you worked in that unit?		14 you speaking to those detectives or officers to	
15 A I think I started in December of 1999, and		15 discuss the facts surrounding whatever crime that	
16 I think I left in January of 2001. I'm not		16 they were calling in?	
17 exactly sure of those dates -- of any dates, but I		17 A Yes, that's fair to say. That's at least	
18 think that is the time period.		18 one of the things we would have discussed, yes.	
19 Q Is it fair to say you worked in the Felony		19 Q And would you discuss with those	
20 Review Unit in May of 2000?		20 detectives or officers any potential suspects or	
21 A It would seem -- that fits into that time		21 potential leads that they had in that case?	
22 period, yes.		22 MS. REED: I'm going to --	
23 Q And while you were working for the Felony		23 MR. COYNE: Object --	
24 Review Unit, what would you say your general		24 MS. REED: -- object to -- I'm going to	

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5 (17 to 20)

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	17		19
1 join the objection. Also object to form, calls 2 for a narrative, and speculation. 3 BY MS. ADEEYO: 4 Q You can answer.		1 Q And the part of the documents that you 2 reviewed, did you review any trial transcripts or 3 hearing transcripts?	
5 A I would speak to them about whatever they 6 felt was relevant when I -- at the time. So I 7 don't know -- I can't say what specifically they 8 would have wanted to talk to me about in each 9 case. Each case is different.		4 A I did scan two transcripts, yes.	
10 Q You also mentioned that you would 11 interview witnesses, victims, and suspects as part 12 of your responsibilities in Felony Review, right?		5 Q When you scanned, do you mean that you 6 just looked through them quickly, or did you 7 actually have the opportunity to read the 8 information contained in those transcripts?	
13 A Those were the -- yes.		9 A I looked through them. I mean, I did -- I 10 read a little bit, but I didn't -- I scanned 11 through it. I didn't spend time on it.	
14 Q Typically, how would you determine which 15 witnesses to interview?		12 Q And in addition to those transcripts, did 13 you also review any witness statements?	
16 MR. COYNE: Same objection.		14 A Yes, I did.	
17 MS. REED: Join the objection.		15 Q And do you recall the witness statements 16 you reviewed?	
18 BY MS. ADEEYO: 19 Q You can answer.		17 A If I do -- not offhand. I don't know the 18 names of the witnesses offhand.	
20 A Well, I can speak generally, but I can 21 just say that, you know, again -- I don't remember 22 specifically how we got to that. It would just be 23 based on whatever the facts of the particular case 24 were. If there were witnesses, we would talk to	18	19 Q And in preparation for today's deposition, 20 did you also review the statement transcript of 21 Xavier Walker?	
1 them. If there was somebody in custody, we would 2 talk to them. 3 I mean, you know, I'm sorry, that's all 4 that I -- that's the best I can respond. 5 Q So aside from interviewing witnesses, 6 suspects, victims, and reviewing police reports, 7 was there any other responsibilities that were 8 part of your role in the Felony Review Unit? Was 9 that it?		22 A Yes.	
10 A That's all.		23 Q After reviewing those documents, did it 24 refresh your recollection about any aspect of your	
11 Q Okay. Now, the case that we're here to 12 talk about today relates to the prosecution of an 13 individual named Xavier Walker for a murder that 14 occurred in 2003 of the victim, Marek Majdak.		1 involvement in this -- in Walker's case?	20
15 Are you aware that we're talking about 16 that case today?		2 A No.	
17 A I'm aware that we were -- yes.		3 Q So I understand you don't recall much of 4 this case, if anything, but I'm just going to try 5 to walk you through it, okay? And I have some 6 questions pertaining to the specific documents I 7 sent to you, okay?	
18 Q Okay. Do you have any independent 19 recollection of that case?		8 A Okay.	
20 A I do not.		9 Q So, first, do you recall when you were 10 first assigned to Xavier Walker's case?	
21 Q Prior to today's deposition, did you 22 review any documents to prepare?		11 A No.	
23 A I did review some documents. I 24 reviewed -- yes, I did review some documents.		12 I'm sorry, were you asking me the date I 13 was first assigned?	
		14 Q Correct.	
		15 A No. I do not recall that, no.	
		16 Q Do you recall if any other Assistant 17 State's Attorneys were assigned to Walker's case 18 as well as yourself?	
		19 A No, I do not.	
		20 Q Do you recall any specific police reports 21 that you reviewed when you were assigned to 22 Walker's case?	
		23 A No --	
		24 MS. REED: I'm going to object to lack of	

Transcript of Joanna Liotine-Leafblad

6 (21 to 24)

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	21		23
1 foundation.		1 A I was able to print some documents; I just	
2 BY MS. ADEEYO:		2 couldn't print all of them. But I do seem to	
3 Q I'm sorry, did you answer? I missed it.		3 have -- I do have 93 to 97 printed.	
4 A I said no.		4 Q Okay.	
5 Q Do you recall speaking to any specific		5 (WHEREUPON, Leafblad Exhibit No. 1 was	
6 detectives or officers when you were first		6 presented to the witness.)	
7 assigned to Xavier Walker's case?		7 BY MS. ADEEYO:	
8 MS. REED: I'm going to object to lack of		8 Q Okay, Ms. Leafblad, do you see a document	
9 foundation.		9 in front of your screen at the top it says	
10 BY MS. ADEEYO:		10 "Statement of Ashanti Wright"?	
11 Q You can answer.		11 A Yes, I see it.	
12 A No.		12 Q So taking a look at this document, it	
13 Q Do you recall interviewing any specific		13 starts: Statement of Ashanti Wright taken	
14 witnesses as part of your assignment to Walker's		14 28 May 2000 at 6:10 at 4653 West Erie -- I believe	
15 case?		15 that's an abbreviation for Chicago -- CHGO. And	
16 MS. REED: I'm going to object to lack of		16 it says: Present: ASA Leafblad, J; Detective	
17 foundation.		17 Cruz, #20887; Detective Wolverton, #20014.	
18 BY THE WITNESS:		18 Do you see that there?	
19 A No.		19 A Yes, I do.	
20 BY MS. ADEEYO:		20 Q So this appears to be the statement of	
21 Q Do you recall interviewing Xavier Walker		21 Ashanti Wright, and you were present for that	
22 as part of your assignment to this case?		22 interview; is that correct?	
23 MS. REED: I'm going to object to lack of		23 MS. REED: I'm going to object to lack of	
24 foundation.		24 foundation.	
	22		24
1 BY THE WITNESS:		1 BY MS. ADEEYO:	
2 A No.		2 Q You can answer.	
3 BY MS. ADEEYO:		3 A Well, you said this appears to be the	
4 Q Do you recall the names of any of the		4 statement of Ashanti Wright, and I would agree	
5 detectives or officers working on Xavier Walker's		5 with that. I do not recall taking this statement.	
6 case?		6 Q Okay.	
7 MS. REED: I'm going to object to asked		7 A It sounded like a two-part question, so	
8 and answered, lack of foundation, form.		8 I'm trying to answer both parts of it.	
9 BY THE WITNESS:		9 Q Taking a look at the bottom of this first	
10 A No.		10 page here marked City NK 93.	
11 BY MS. ADEEYO:		11 Is that your signature contained here at	
12 Q Okay. So now I'm going to turn to what		12 the bottom of this page?	
13 I'll mark as Exhibit 1, which is Bates-stamped		13 A It does look like my signature, yes.	
14 City NK 93 to 97. I'm going to share my screen as		14 Q Okay. I'm going to take you to the next	
15 well.		15 page, City NK 94.	
16 Ms. Leafblad, do you have those documents		16 Does this appear to be your signature at	
17 printed out with you?		17 the bottom of this page?	
18 A Which document are you referring to?		18 A It does appear to be my signature, yes.	
19 Q It's Bates-stamped City NK 93 to 97 at the		19 Q Taking you to the next page, City NK 95.	
20 bottom.		20 Does this appear to be your signature at	
21 A I don't have -- oh...		21 the bottom of this page?	
22 Q If you don't, that's fine; I'll be sharing		22 A It does appear to be my signature, yes.	
23 my screen, so you can just take a look at it that		23 Q Taking you to the next page, City NK 96.	
24 way.		24 Does this appear to be your signature at	

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7 (25 to 28)

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	25		27
1 the bottom of the page?		1 MR. COYNE: Object --	
2 A It does appear to be my signature, yes.		2 MS. REED: -- of foundation.	
3 Q And turning your attention to the last		3 MR. COYNE: Sorry. Join.	
4 page of this exhibit, City NK 97, does that appear		4 BY MS. ADEEYO:	
5 to be your signature under this first photograph?		5 Q You can answer.	
6 A It does appear to be my signature, yes.		6 A Would you please repeat the question.	
7 Q Okay. So I understand you don't have any		7 Q Do you dispute the accuracy of this	
8 recollection of this interview, but I'm just going		8 document?	
9 to walk you through what it states.		9 MR. COYNE: Objection --	
10 First, let me ask you, does this appear to		10 MS. REED: Objection --	
11 be your handwriting in this --		11 MR. COYNE: -- foundation.	
12 MS. REED: I'm going to -- never mind.		12 MS. REED: -- to lack of foundation.	
13 BY MS. ADEEYO:		13 BY THE WITNESS:	
14 Q You can answer.		14 A I don't dispute its existence. I don't	
15 A Does it appear to be my handwriting --		15 have a specific recollection to that day or to	
16 Q Correct.		16 creating the document. But I see it. I don't	
17 A -- I'm sorry, was that the question?		17 dispute its existence.	
18 Q Yes, it was.		18 BY MS. ADEEYO:	
19 A It does appear to be my handwriting.		19 Q Do you question whether or not you, in	
20 Q Okay. Now, starting here at the top, it		20 fact, created this document?	
21 states: This statement taken regarding the		21 MR. COYNE: Objection, form, and	
22 robbery and shooting death of Marek Majdak which		22 foundation.	
23 occurred on 13 May 2000 at 1:00 -- and then		23 MS. REED: Join objection.	
24 there's a slash -- 1:14 at 4721 West Ohio,		24	
	26		28
1 Chicago.		1 BY THE WITNESS:	
2 It starts: "After being advised that		2 A I don't question it, but I can't -- but I	
3 Assistant State's Attorney Joanna Leafblad is a		3 don't remember doing it.	
4 lawyer and a prosecutor but not Jovanie Long or		4 BY MS. ADEEYO:	
5 Maurice Wright's attorney, Ashanti Wright, made		5 Q Okay. So I believe I read this sentence,	
6 the following statement, which is a summary but		6 but just in case I didn't, it says: "Ashanti	
7 not word for word."		7 Wright made the following statement which is a	
8 So based on this statement, you informed		8 summary but not word for word."	
9 Ashanti Wright that you were a prosecutor but not		9 Typically in your role as an ASA for	
10 Jovanie Long or Maurice Wright's attorney; is that		10 Felony Review Unit when you would be documenting	
11 correct?		11 the statement given by a witness, would you	
12 MS. REED: I'm going to object to lack of		12 normally summarize what that person said?	
13 foundation, hearsay, calls for speculation, and		13 MS. REED: I'm going to object to lack of	
14 form.		14 foundation, calls for speculation, and form.	
15 BY MS. ADEEYO:		15 BY MS. ADEEYO:	
16 Q You can answer.		16 Q You can answer.	
17 A That is what the document says.		17 A In general --	
18 Q And you have --		18 Q Yes.	
19 A Again, I don't have a -- I don't have a		19 A -- yes, we would summarize.	
20 specific recollection of doing that, but I don't		20 Q Okay.	
21 dispute that that's what the document says.		21 A I can't confirm -- again, I don't have a	
22 Q Okay. Do you dispute the accuracy of this		22 specific recollection of this date, but I can tell	
23 document?		23 you that, in general, we would summarize -- I	
24 MS. REED: I'm going to object to lack --		24 would summarize.	

Transcript of Joanna Liotine-Leafblad

8 (29 to 32)

Conducted on July 7, 2022

	29		31
1 Q Okay. The next section states: "Ashanti 2 states she is 20 years old. Ashanti states she 3 went up to 11th grade at Westinghouse High School 4 in Chicago. Ashanti states she has three 5 children, ages five, four, and three. Ashanti 6 states they are all boys. Ashanti states she 7 lived at 4653 West Erie with her godmother, 8 Maurice Wright, and her godmother's children. 9 Ashanti states her godmother's name is Mary 10 Curry."		1 MR. COYNE: Join in foundation. 2 BY MS. ADEEYO: 3 Q You can answer. 4 A Again, I have no reason to dispute it, but 5 I don't recall it, I -- the conversation or doing 6 this interview.	
11 You have no reason to dispute that that's 12 what Ashanti Wright told you that day, correct?		7 BY MS. ADEEYO: 8 Q I'm going to pick up where I left off.	
13 MS. REED: I'm going to object to hearsay, 14 lack of foundation, calls for speculation, and 15 form.		9 "Ashanti states Vani put on another shirt 10 and told Ashanti and Jamaica to go to the sub 11 place with him to buy loose cigarettes. Ashanti 12 states on their way back home, they saw the police 13 and walked down the street past where the body was 14 and the van with the hazard lights still flashing.	
16 MR. COYNE: Join.		15 "Ashanti states Vani looked like he was 16 crying and the police asked them if they could 17 tell if the body was of someone they knew.	
17 BY MS. ADEEYO:		18 Ashanti states she doesn't know a lot of people, 19 so she didn't go look. But another girl did and 20 said it was a white man not from the neighborhood.	
18 Q You can answer.		21 "Ashanti states they went back home but 22 before they got home, Vani's friend Xavier, who 23 they call Zay, pulled up in a black car. Ashanti 24 states Vani got into the black" -- "the back seat	
19 A I have no reason to dispute it, no.	30		32
20 Q The next section states: "Ashanti states 21 on May 13th, 2000, she was home with Mary and 22 Ashanti's sister, Jamaica Wright, and Mary's 23 children. Ashanti states they were paying" -- 24 "playing cards when they heard gunshots. Ashanti		1 states the shot sounded like it was close by, so 2 she went down to the basement to check on Timmy, 3 Jovanie Long's younger brother. 4 "Ashanti states Timmy wasn't down there 5 and neither was anyone else. Ashanti states they 6 all went back upstairs but heard noises in the 7 basement five to ten minutes later. 8 "Ashanti states they went down again and 9 saw Jovanie, who they also call Vani. Ashanti 10 states Vani didn't have a shirt on and was in the 11 bathroom. Ashanti states Vani looked nervous. 12 Ashanti states Vani then went upstairs a short 13 time after they did. 14 "Ashanti states the person in Exhibit 1 is 15 Jovanie "Vani" Long. Ashanti states Vani said he 16 didn't hear gunshots because he'd been sleeping in 17 the basement. Ashanti states she know that wasn't 18 true but left it alone." 19 So up until that point, you have no reason 20 to dispute that that's what Ashanti told you that 21 day you took her interview; is that correct?	
22 MS. REED: I'm going to object to lack of 23 foundation, calls for speculation, form, and 24 hearsay.		1 of the car and they drove away while Ashanti and 2 Jamaica just went on home. Ashanti states there 3 were two other people in the car but she doesn't 4 know them. 5 "Ashanti states she, Jamaica, and Mary 6 talked about the shooting for a while. Ashanti 7 states Mary went to bed" -- and then it looks like 8 it's crossed out and says "upstairs, and Vani and 9 Maurice came in. Ashanti states Maurice went up 10 to tell Mary they were back. Ashanti states Vani 11 said he killed the white guy." 12 Now, in terms of what I just read to you, 13 you have no reason to dispute that that's what 14 Ashanti told you that day, correct?	
		15 MR. COYNE: Objection -- 16 MS. REED: I'm going to object -- join 17 objection as well as hearsay, form, calls for 18 speculation.	
		19 BY MS. ADEEYO: 20 Q You can answer.	
		21 A I don't dispute that that's what the 22 document says. I have no recollection outside of 23 that.	
		24 Q "Ashanti states Vani said he wanted the	

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9 (33 to 36)

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	33		35
1 white boy's money but he put up a fight and was 2 getting the best of Vani, so Vani shot him. 3 Ashanti states they played cards, then Zay came. 4 Ashanti states Zay told her to go with him to wipe 5 fingerprints off the van. Ashanti states she 6 would not go because she didn't want to be a part 7 of anything."		1 MR. COYNE: Same objections. 2 BY THE WITNESS: 3 A No, I would not -- in general, I would not 4 write something down that was not told to me if it 5 was a statement of a witness that I was taking. 6 BY MS. ADEEYO:	
8 You have no reason to dispute that that's 9 what Ashanti told you that day, correct?		7 Q Okay. And I understand you don't recall 8 this specific interview, but, generally speaking, 9 when you'd interview a witness, would you allow 10 them to make corrections to their statement?	
10 MS. REED: I'm going --		11 MS. REED: I'm going to object to lack of 12 foundation, form.	
11 MR. COYNE: Objection --		13 BY THE WITNESS:	
12 MS. REED: -- object -- join objection, as 13 well as hearsay, form, calls for speculation.		14 A In general?	
14 BY THE WITNESS:		15 BY MS. ADEEYO:	
15 A Again, I have no reason to dispute it, but I don't recall it.		16 Q Yes.	
17 BY MS. ADEEYO:		17 A They would be allowed to make corrections.	
18 Q Typically as an ASA in Felony -- in the 19 Felony Review Unit, when you're interviewing 20 witnesses, you're taking down accurately what that 21 witness relates to you, correct?		18 Q And, in general, when a witness would be 19 allowed to make those corrections, would you then 20 cross out what that witness originally told you 21 and write down the correction that they're making?	
22 MS. REED: I'm going --		22 MS. REED: I'm going to object to lack of 23 foundation, form, calls for speculation.	
23 MR. COYNE: Object --		24	
24 MS. REED: -- to -- I'm going to object to	34		36
1 form as well.		1 BY MS. ADEEYO:	
2 BY THE WITNESS:		2 Q You can answer.	
3 A In general? Yes --		3 A It depends on what the correction was. It depends on what the correction was. I mean, if it required being crossed out and rewritten, that's what I would do. If it required something else, I would do that. Generally speaking, that's how we would do it -- I would do it.	
4 BY MS. ADEEYO:		9 Q Okay. So I'm going to pick up where I 10 left off here on City NK 95.	
5 Q Correct.		11 It says: "Ashanti states she later told 12 Mary, who they also call Mama, what Vani said 13 about robbing and shooting the white guy. Ashanti 14 states Vani found out Ashanti" -- wait -- "Ashanti 15 states" -- can you read what this says here?	
6 A -- I would -- in general, I would be as accurate as I possibly can based on what information was available.		16 MS. REED: I'm going to object to lack of 17 foundation.	
7 Q And in that role as an ASA working in the 8 Felony Review Unit, when you're interviewing a 9 witness, you would never put down information in a 10 statement that they did not tell you, correct?		18 MR. COYNE: Join.	
13 MR. COYNE: Objection, form.		19 BY MS. ADEEYO:	
14 MS. REED: I'm going to object to form.		20 Q You can answer.	
15 Also calls for speculation and lack of foundation.		21 A Which part are you --	
16 BY MS. ADEEYO:		22 Q So I'm on City NK 96, the third line down.	
17 Q You can answer.		23 Do you see here it starts: "Ashanti states"?	
18 A Can you please ask the question again.		24 A Okay. And then do you want me to read	
19 Q Sure. In your role as an ASA working for			
20 the Felony Review Unit, when you would interview a			
21 witness, you would never put down in their			
22 statement information that they did not tell you;			
23 is that correct?			
24 MS. REED: Same objections.			

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10 (37 to 40)

Conducted on July 7, 2022

	37		39
1 what was crossed out or what -- what do you want me to read?		1 interview?	
3 Q Actually, yeah, you can read what was crossed out.		2 (Simultaneous objections.)	
4 MS. REED: I'm going to object to lack of foundation.		3 (Reporter clarification.)	
5 MR. COYNE: Join.		4 MR. COYNE: Both to form and foundation.	
6 BY THE WITNESS:		5 MS. REED: That's correct.	
7 A It looks --		6 BY MS. ADEEYO:	
8 BY MS. ADEEYO:		7 Q You can answer.	
9 Q You can answer.		8 A What was the -- will you please repeat the question?	
10 A It looks like it says: "She came back later that my Vani." That's the crossed-out portion.		10 Q Sure. You do not have any recollection of not treating Ashanti Wright well that day during that interview, correct?	
11 Q Okay. The next line: "Vani found out Ashanti told and told Ashanti she was bogus for telling Mama. Ashanti states she left with Jamaica soon after that.		11 A I do not --	
12 "Ashanti states Vani called the house today and told her he heard that Maurice, who they call Boo Boo, trickin' on him, referring to Maurice being at the police station talking to the police."		13 MS. REED: Same objections.	
13 You have no reason to dispute that this is		14 BY MS. ADEEYO:	
14 what Ashanti Wright told you that day, correct?	38	15 Q Sorry. Go ahead.	
15 MS. REED: I object to lack of foundation, calls for speculation, form, hearsay.		16 A I do not have any recollection of any contact I had with her that day.	
16 MR. COYNE: Join foundation.		17 Q Typically in your role as an ASA for the Felony Review Unit when you would go and interview witnesses, you would typically treat them well; is that correct?	
17 BY MS. ADEEYO:		18 MS. REED: I'm going --	
18 Q You can answer.		19 MR. COYNE: Objection --	
19 A I don't dispute that that's what's on the document, no.		20	
20 Q The next paragraph states: "Ashanti states she's been treated well by the police and Assistant State's Attorney Joanna Leafblad."		MS. REED: -- object -- I'm going to join the objection for form, as well as lack of foundation, calls for speculation.	
21 You have no reason to dispute that that's what Ashanti Wright told you that day, correct?		21 BY THE WITNESS:	
22 MS. REED: I'm going to object to lack of foundation, form, hearsay, and speculation.		22 A I would --	
23 MR. COYNE: Join foundation.		23 BY MS. ADEEYO:	
24 BY THE WITNESS:		24 Q You can answer.	
25 A I have no reason to dispute that that's what she told me that day, but I don't have a specific recollection of the conversation or anything.		26 A I would treat people respectfully. And I would -- yes, I would treat them well. I would treat them respectfully.	
27 BY MS. ADEEYO:		27 Q While you were working as an ASA for the Felony Review Unit when you would interview a witness, do you recall an instance in which you ever witnessed a detective or an officer not treat that witness well during an interview?	
28 Q Do you have any recollection of not treating Ashanti Wright well during this		28 MR. COYNE: Objection, form.	
		29 MS. REED: Same objection, as well as lack of foundation.	
		30 BY MS. ADEEYO:	
		31 Q You can answer.	
		32 A I do not have any recollection of that, no.	
		33 Q I'm going to jump down to this line kind of in the center of this paragraph on City NK 96.	

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11 (41 to 44)

Conducted on July 7, 2022

	41		43
1 It starts here. It says: "Ashanti states 2 no threats or promises were made in exchange for 3 this statement."		1 (WHEREUPON, Leafblad Exhibit No. 2 was 2 presented to the witness.) 3 BY MS. ADEEYO:	
4 You have no reason to dispute that that's 5 what Ashanti Wright told you that day, correct?		4 Q Do you see that document on the screen, 5 Ms. Leafblad?	
6 MR. COYNE: Objection, foundation.		6 A Yes, I do.	
7 MS. REED: Join objection, as well as 8 form, speculation, and hearsay.		7 Q Okay. And at the top of this document, it 8 states: "Statement of Mary Curry taken 9 28 May 2000 at 2:26 at A/4 roll call room; 10 Present: Detective Cruz #20887, ASA Leafblad, J."	
9 BY MS. ADEEYO:		11 Do you see that there?	
10 Q You can answer.		12 A I see that, yes.	
11 A I have no reason to dispute it. I have no 12 reason to dispute that that's what the document 13 says. So, you know, again, I don't have a 14 recollection of my conversation with Ashanti.		13 Q Just taking a look at this document, does 14 this appear to be your handwriting?	
15 Q In your work as an ASA in the Felony 16 Review Unit, have you ever threatened a witness 17 during an interview or made a promise during an 18 interview?		15 A It appears to be my handwriting.	
19 MR. COYNE: Objection, form.		16 Q And taking a look at this first page, does 17 that appear to be your signature contained on this 18 page?	
20 MS. REED: Objection, form, lack of 21 foundation.		19 A That does appear to be my signature.	
22 BY MS. ADEEYO:		20 Q Moving to the second page, does this 21 appear to be your signature at the bottom?	
23 Q You can answer.		22 A It does appear to be my signature.	
24 A No, I have not.		23 Q Taking a look at this third page, is that 24 your signature there?	
	42		44
1 Q While working as an ASA in the Felony 2 Review Unit, when you would interview a witness, 3 do you recall ever witnessing an officer or a 4 detective threaten a witness during an interview?		1 A It looks like my signature.	
5 MR. COYNE: Same objection.		2 Q And then just this bottom page here, does 3 that appear to be your signature in the bottom 4 left-hand corner?	
6 MS. REED: Objection, form, also I believe 7 asked and answered.		5 A It appears to be, yes.	
8 BY THE WITNESS:		6 Q Do you have any recollection of taking the 7 interview of Mary Curry on May 28, 2000?	
9 A I do not.		8 A No, I do not.	
10 BY MS. ADEEYO:		9 Q As you just testified that this does 10 appear to be your signature, do you know what this 11 A/4 stand for?	
11 Q And while working as an ASA in the Felony 12 Review Unit, when interviewing a witness, do you 13 recall ever witnessing an officer or detective 14 make a promise to a witness in exchange for their 15 statement?		12 MS. REED: I'm going to object to lack of 13 foundation and form. Also calls for speculation.	
16 MR. COYNE: Objection, form.		14 BY MS. ADEEYO:	
17 MS. REED: Join objection, as well as lack 18 of foundation and asked and answered.		15 Q You can answer.	
19 BY THE WITNESS:		16 A At the time, I think that would have been 17 Area 4.	
20 A I do not.		18 Q And typically as an ASA working for the 19 Felony Review Unit, when you would interview a 20 witness, you would write down all of the 21 individuals who were present for the interview, 22 correct?	
21 BY MS. ADEEYO:		23 MS. REED: Objection, calls for 24 speculation, lack of foundation, form.	
22 Q Okay. Now I'm going to turn to what I'll 23 mark as Exhibit 2, which is Bates-stamped 24 City NK 98 to 101.			

Transcript of Joanna Liotine-Leafblad

12 (45 to 48)

Conducted on July 7, 2022

	45		47
1 BY THE WITNESS:		1 A Well, I can see that it's crossed out, but	
2 A In general, that is what I would do, yes.		2 I don't -- I don't recall if I had a practice of	
3 BY MS. ADEEYO:		3 that or what that was, so...	
4 Q Okay. So turning to that first page,		4 Q I understand you don't recall if you had a	
5 City NK 98, at the somewhat top there, it says:		5 practice of doing this. Have you ever -- do you	
6 "This statement taken regarding the robbery and		6 recall ever doing that before, crossing out this	
7 shooting death of Marek Majdak, which occurred on		7 paragraph on this type of document?	
8 15 May 2000 at 1:00 a.m. to 1:14 at 4721 West		8 MS. REED: I'm going to object to asked	
9 Ohio, Chicago."		9 and answered, lack of foundation, calls for	
10 Do you see that there?		10 speculation, and form.	
11 A I do see it.		11 BY MS. ADEEYO:	
12 Q Okay. So I'm just going to kind of walk		12 Q You can answer.	
13 through this document. This first paragraph:		13 A I don't have a -- I don't recall crossing	
14 "Being advised that Assistant State's Attorney		14 it out.	
15 Joanna Leafblad is a lawyer and a prosecutor but		15 Q Can you think of a reason why you would	
16 not Maurice Wright's or Jovanie Long's lawyer,		16 cross out this paragraph when taking this	
17 Mary Curry made the following statement which is a		17 statement of a witness?	
18 summary and not word for word."		18 MS. REED: I'm going to --	
19 Do you have any reason to dispute that you		19 MR. COYNE: Objection, foundation,	
20 informed Mary Curry during an interview that you		20 speculation.	
21 were a prosecutor, not Maurice Wright's attorney		21 MS. REED: Join objections for foundation,	
22 or Jovanie Long's attorney?		22 speculation, as well as misstates the witness's	
23 MS. REED: I'm going to object to lack of		23 prior testimony.	
24 foundation, form, calls for speculation, and		24	
	46		48
1 compound question.		1 BY MS. ADEEYO:	
2 MR. COYNE: Join on foundation.		2 Q You can answer.	
3 BY MS. ADEEYO:		3 A I would only be speculating if I gave --	
4 Q You can answer.		4 if I gave an answer, it wouldn't be specific to	
5 A I have no reason to dispute it, but I have		5 this case, my practice as an ASA in the Felony	
6 no specific recollection of this conversation.		6 Review, or anything else. So I don't know how to	
7 Q Just generally speaking, as an ASA in the		7 speculate what the reason would be.	
8 Felony Review Unit, have you filled out documents		8 BY MS. ADEEYO:	
9 like this before, this "Statement of" type		9 Q Could you have crossed out this paragraph	
10 document?		10 because the witness was not a suspect?	
11 MS. REED: I'm going to object to form.		11 MS. REED: I'm going to --	
12 BY THE WITNESS:		12 MR. COYNE: Objection --	
13 A In general, I would -- I have filled out		13 MS. REED: -- object to --	
14 forms like that, yes.		14 MR. COYNE: -- speculation.	
15 BY MS. ADEEYO:		15 Go ahead.	
16 Q And when you filled out forms like this		16 MS. REED: Join objection, as well as	
17 before, have you ever crossed out this paragraph		17 mischaracterizes the witness's prior testimony.	
18 similar to -- similar to what's seen here on		18 BY MS. ADEEYO:	
19 Exhibit 2?		19 Q You can answer.	
20 MS. REED: I'm going to object to lack of		20 A I don't know. I'm sorry, again, this is	
21 foundation, calls for speculation, as well as		21 requiring me to guess or speculate as to what I	
22 form.		22 would have done or why I would have done it, and I	
23 BY MS. ADEEYO:		23 can't -- I cannot speak to that. I don't know.	
24 Q You can answer.		24 Q Okay. I'm going to move to this second	

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13 (49 to 52)

Conducted on July 7, 2022

	49		51
1 paragraph on this first page here marked 2 City NK 98.		1 in the car Zay was driving when Vani got in. Mary 2 states she heard Vani and Zay talking to Ashanti 3 about going around the corner to wipe fingerprints 4 off the van. Mary states Zay was knocking on the 5 side door trying to get Ashanti to come out. Mary 6 states she told Zay to go home and be quiet 7 because he was making too much noise and she had 8 elderly neighbors."	
3 It states: "Mary states she is 52 years 4 old. Mary states she lives at 4653 West Erie with 5 her goddaughter, Ashanti Wright, her son, Maurice 6 Wright, and Mary's other children. Mary states 7 she's lived there since February 1999. Mary 8 states she went up to 11th grade at Withrow High 9 School in Cincinnati, Ohio."		9 You have no reason to dispute that that's 10 what Mary Curry told you that day during the 11 interview, correct?	
10 Do you have any reason to dispute that 11 that's what Mary told you during that interview on 12 that date?		12 MR. COYNE: Objection --	
13 MS. REED: I'm going to --		13 MS. REED: I'm going to -- I'm going to 14 join the objection for foundation, form, 15 speculation, hearsay.	
14 MR. COYNE: Objection, foundation.		16 BY MS. ADEEYO:	
15 MS. REED: I'm going to join the objection 16 for foundation, as well as speculation, hearsay, 17 and form.		17 Q You can answer.	
18 BY THE WITNESS:		18 A Again, I don't dispute that that's what's 19 on this document, but I have no recollection one 20 way or another of the day.	
19 A I don't have any reason to dispute that 20 it's on the document. I see it on the document, 21 and I don't dispute the document.		21 Q On City NK 100 -- I'm going to pick up 22 where I left off -- it states: "Mary states she 23 went back upstairs and Vani went downstairs. Mary 24 states Ashanti came upstairs the next morning	
22 BY MS. ADEEYO:			
23 Q The next paragraph on the page marked 24 City NK states: "Mary states on 13 May 2000 in	50		52
1 the early morning hours, she was home playing 2 cards with Ashanti and her sister, Jamaica. Mary 3 states about 1:00 to 1:30 a.m. she heard a 4 gunshot, which sounded like it was very close by 5 and they all jumped.		1 while Vani was in the basement. Mary states 2 Ashanti told her that Vani told Ashanti that he 3 killed the white guy. Mary states she went back 4 to sleep until about 11:30 a.m.	
6 "Mary states they went to the basement but 7 no one was down there. Mary states about five 8 minutes later, they went downstairs again and saw 9 Jovanie, who they also call Vani, down in the 10 basement. Mary states Vani was coming out of the 11 bathroom taking off his shirt. Mary states that 12 the person in Exhibit 1 is Jovanie Long, a/k/a 13 Vani.		5 "Mary states at about 12:30 p.m., she was 6 getting ready for work. Mary states she told Vani 7 she wanted to talk to him. Mary states Vani" -- 8 I'm not sure what that next word says. Can you 9 read that there after "Mary states Vani"?	
14 "Mary states she's known Vani for about 15 one year. Mary states Jovanie, Ashanti, and 16 Jamaica went to the sub place on Cicero near Ohio 17 to buy cigarettes. Mary states they were gone 18 about one half-hour. Mary states she went outside 19 and saw Vani go up to Xavier, a/k/a Zay, in a 20 dark-colored car and get in the car with Zay. 21 Mary states she, Ashanti, and Jamaica went back 22 inside. Mary states a while later, she went 23 upstairs to bed.		10 MS. REED: I'm going to object to lack of 11 foundation.	
24 "Mary states there were two other people		12 MR. COYNE: Join.	
		13 BY THE WITNESS:	
		14 A Looks like "came."	
		15 BY MS. ADEEYO:	
		16 Q Okay. I'm going to pick up there.	
		17 "Mary states Vani came to her offering a 18 \$100 bill. Mary states she didn't take the money 19 and told him to keep it because he would need it. 20 Mary states she asked Vani why he would want to 21 shoot someone over their own money and that he 22 didn't have to do that. Mary states Vani started 23 crying and said he was sorry but the man wouldn't 24 let the money go so Vani shot him.	

Transcript of Joanna Liotine-Leafblad

14 (53 to 56)

Conducted on July 7, 2022

<p style="text-align: right;">53</p> <p>1 "Mary states Vani said he was sorry he 2 killed the man and then went back downstairs. 3 Mary states she finished getting ready and went to 4 work."</p> <p>5 Up to where I read, you have no reason to 6 dispute that that's what Mary Curry told you in 7 the interview during that day?</p> <p>8 MS. REED: Object --</p> <p>9 MR. COYNE: (Indiscernible.)</p> <p>10 MS. REED: -- foundation as well as 11 speculation, hearsay, form.</p> <p>12 (Reporter clarification.)</p> <p>13 MR. COYNE: I said objection, foundation.</p> <p>14 BY THE WITNESS:</p> <p>15 A I have no reason to dispute it.</p> <p>16 BY MS. ADEEYO:</p> <p>17 Q The next section, "Mary" -- it says: 18 "Mary states before Vani went downstairs, he told 19 him he had to go because she didn't want him or 20 any trouble around her children.</p> <p>21 "Mary states when Vani and Zay were 22 talking and she went downstairs, she had seen 23 Maurice with them, too. Mary states she calls 24 Maurice Boo Boo and that everyone calls her Mama."</p>	<p style="text-align: right;">55</p> <p>1 BY MS. ADEEYO:</p> <p>2 Q And I'm going to read this sentence here. 3 It starts: "Mary states no threats or promises 4 were made in exchange for this statement."</p> <p>5 You have no reason to dispute that that's 6 what Mary Curry said that day during the 7 interview, correct?</p> <p>8 MR. COYNE: Objection, foundation.</p> <p>9 MS. REED: Join objection, as well as 10 speculation, form, and hearsay.</p> <p>11 BY THE WITNESS:</p> <p>12 A It is correct I have no reason to dispute 13 it.</p> <p>14 BY MS. ADEEYO:</p> <p>15 Q I'm going to read the last sentence of 16 this paragraph here.</p> <p>17 It says: "Mary states Assistant State's 18 Attorney Leafblad read the statement out loud as 19 she followed along. Mary states she was allowed 20 to make corrections as needed."</p> <p>21 You have no reason to dispute that that's 22 what Mary Curry said during the interview, 23 correct?</p> <p>24 MR. COYNE: Objection, foundation.</p>
<p style="text-align: right;">54</p> <p>1 Going to the next page. "Mary states she 2 saw Vani and Zay at her home a couple of more 3 times in the week, but every time she saw them, 4 she would tell them to get out because she didn't 5 want her children involved with their mess."</p> <p>6 You have no reason to dispute that's what 7 Mary told you during the interview that day?</p> <p>8 MR. COYNE: Objection, foundation.</p> <p>9 MS. REED: Join objection, as well as 10 speculation, hearsay, form.</p> <p>11 BY MS. ADEEYO:</p> <p>12 Q You can answer.</p> <p>13 A I have no reason to dispute it.</p> <p>14 Q Now, this next paragraph here on City NK, 15 it states: "Mary states she was treated fine by 16 the police and Assistant State's Attorney 17 Leafblad."</p> <p>18 You have no reason to dispute that that's 19 what Mary told you that day, correct?</p> <p>20 MR. COYNE: Objection, foundation.</p> <p>21 MS. REED: Join objection, as well as 22 hearsay, speculation, and form.</p> <p>23 BY THE WITNESS:</p> <p>24 A I have no reason to dispute it.</p>	<p style="text-align: right;">56</p> <p>1 MS. REED: Join. As well as speculation, 2 form, and hearsay.</p> <p>3 BY THE WITNESS:</p> <p>4 A Again, I have no reason to dispute it, no.</p> <p>5 BY MS. ADEEYO:</p> <p>6 Q Typically in your role as an ASA for 7 Felony Review, when you are taking down the 8 statement of a witness, do you -- have you ever 9 allowed a witness to read along as you write down 10 a statement?</p> <p>11 MR. COYNE: Objection, form.</p> <p>12 MS. REED: Join objection. As well as 13 speculation and lack of foundation.</p> <p>14 BY THE WITNESS:</p> <p>15 A I don't recall -- I don't recall doing 16 that or not doing that. Sorry.</p> <p>17 BY MS. ADEEYO:</p> <p>18 Q Okay. So you're saying you might have, 19 just one way or another, you can't answer whether 20 or not that was typical of your practice?</p> <p>21 MS. REED: I'm going to --</p> <p>22 MR. COYNE: Objection, foundation.</p> <p>23 MS. REED: I'm going to object to 24 foundation as well. As well as misstates</p>

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15 (57 to 60)

Conducted on July 7, 2022

	57		59
1 witness's testimony.		1 "QUESTION: Back on May 29th, Monday, were	
2 BY THE WITNESS:		2 you working Felony Review?	
3 A I don't remember if I ever allowed		3 "ANSWER: Yes, on May 29th, 2000, I was.	
4 somebody to read along while I was doing a		4 "QUESTION: And you are an Assistant	
5 statement.		5 State's Attorney?	
6 BY MS. ADEEYO:		6 "ANSWER: Yes.	
7 Q Can you recall an instance in which you		7 "And you are licensed to practice law in	
8 did not allow a witness to read along as you're		8 the State of Illinois?	
9 taking down their statement?		9 "ANSWER: Yes, I am."	
10 MR. COYNE: Objection, form, foundation.		10 Does that refresh your recollection at all	
11 MS. REED: Same objections. As well as		11 as to being present at this hearing?	
12 misstates witness's prior testimony.		12 MS. REED: I'm going to object to lack of	
13 BY THE WITNESS:		13 foundation and form.	
14 A I cannot recall any such instance.		14 BY THE WITNESS:	
15 BY MS. ADEEYO:		15 A It doesn't, but I don't -- I don't dispute	
16 Q I'm going to turn to my next exhibit that		16 or deny that I must have been there. But I don't	
17 I'll mark as Exhibit 3.		17 have a recollection of it.	
18 (WHEREUPON, Leafblad Exhibit No. 3 was		18 BY MS. ADEEYO:	
19 presented to the witness.)		19 Q Okay. So I'm going to pick up kind of	
20 BY MS. ADEEYO:		20 where I left off.	
21 Q It is Bates-stamped CCSAO 5869		21 "QUESTION:" -- Line 24 -- "I want to	
22 through 5909. I'm going to represent to you that		22 direct your attention to that evening. Were you	
23 this is a portion of the motion to suppress		23 working the night shift?	
24 hearing transcript of Xavier Walker.		24 "ANSWER: Yes, I was.	
	58		60
1 Do you have any independent recollection		1 "QUESTION: With Felony Review?	
2 of being present at the motion to suppress hearing		2 "ANSWER: Yes, I was.	
3 for Xavier Walker?		3 "QUESTION: Approximately 10:00 that	
4 A No, I do not.		4 evening, did you have occasion to arrive at Area 4	
5 Q I'm going to kind of jump around a bit so		5 Violent Crimes?	
6 that way we don't have to go through the whole 41		6 "ANSWER: Yes, I did.	
7 pages, okay?		7 "QUESTION: And was that for the purpose	
8 So at the top of this first page here,		8 of being involved in the homicide investigation	
9 Bates stamp CCSAO XAVIER WALKER 5869, it states		9 involving a victim by the name of Marek that	
10 your name, Joanna -- my apologies if I		10 occurred on May 13th of the year 2000?	
11 mispronounce this -- Lioteen-Leafblad? Did I get		11 "ANSWER: Yes.	
12 that correct?		12 "QUESTION: After arriving at Area 4	
13 A Liotine. That's okay. It's an odd name.		13 Violent Crimes, did you have an opportunity to	
14 Q My apologies.		14 speak to detectives?	
15 It says: "Is called as a witness on		15 "ANSWER: Yes, I did.	
16 behalf of the People of the State of Illinois		16 "QUESTION: Did that include detective	
17 having been first duly sworn was examined and		17 Mike Pietryla?	
18 testified as follows."		18 "ANSWER: Yes."	
19 So, "QUESTION: Introduce yourself to the		19 Based on the testimony that I just read,	
20 judge.		20 does that refresh your recollection about speaking	
21 "ANSWER:" -- you then Joanna -- you spell		21 to Detective Mike Pietryla regarding Xavier	
22 out your first name, Liotine-Leafblad, spell out		22 Walker's case?	
23 those two names -- "and I'm an Assistant State's		23 MS. REED: I'm going to object to lack of	
24 Attorney.		24 foundation, form, and speculation.	

Transcript of Joanna Liotine-Leafblad

16 (61 to 64)

Conducted on July 7, 2022

	61		63
1 BY THE WITNESS:		1 rights by memory."	
2 A I'm sorry, it does not.		2 Based on the testimony I just read, does	
3 BY MS. ADEEYO:		3 that refresh your recollection of interviewing	
4 Q As you sit here today, do you know who		4 Xavier Walker?	
5 detective Mike Pietryla is?		5 MS. REED: I'm going to object to lack of	
6 A Yes, I do remember him.		6 foundation, form, speculation, and hearsay.	
7 Q Okay. And do you recall working on any		7 BY THE WITNESS:	
8 specific cases with Mike Pietryla while you were		8 A It does not.	
9 working in the Felony Review Unit?		9 BY MS. ADEEYO:	
10 MS. REED: I'm going to object to lack of		10 Q Do you have any reason to dispute that you	
11 foundation and form.		11 arrived at Area 4 Violent Crimes to speak with	
12 BY MS. ADEEYO:		12 Xavier Walker?	
13 Q You can answer.		13 MR. COYNE: Objection, foundation.	
14 A I don't recall any specific cases		14 MS. REED: Same objection. And	
15 that I -- I don't recall any specific ones that I		15 speculation.	
16 worked with him.		16 BY MS. ADEEYO:	
17 BY MS. ADEEYO:		17 Q You can answer.	
18 Q Okay. I'm going to pick up here on this		18 A I do not have any reason to dispute that.	
19 page that's Bates-stamped CCSAO XAVIER		19 Q Do you have any reason to dispute that you	
20 WALKER 5871, Line 18.		20 introduced yourself to Xavier Walker as a	
21 "Approximately 10:15 that evening, did you		21 prosecutor, not his attorney?	
22 have an opportunity to meet anyone you see in		22 MR. COYNE: Same objection.	
23 court today?		23 MS. REED: Same objection.	
24 "ANSWER: Yes, I did.		24	
	62		64
1 "QUESTION: Point to that individual and		1 BY THE WITNESS:	
2 identify an article of clothing he has on.		2 A I have no reason to dispute that.	
3 "ANSWER: It's the person wearing the		3 BY MS. ADEEYO:	
4 Cook County Department of Corrections uniform		4 Q Do you have any reason to dispute that you	
5 sitting at defense counsel's table.		5 Mirandized Xavier Walker?	
6 "MR. CLANCY: May the record reflect		6 MR. COYNE: Same objection.	
7 in-court identification of the defendant Xavier		7 MS. REED: Same objection.	
8 Walker.		8 BY THE WITNESS:	
9 "THE COURT: Sure.		9 A I have no reason to dispute that.	
10 "MR. CLANCY: At the time you met him,		10 BY MS. ADEEYO:	
11 10:15 in the evening, describe for the judge		11 Q I want to jump down here to the page that	
12 whether you introduced yourself.		12 is marked CCSAO XAVIER WALKER 5875.	
13 "ANSWER: Yes, I did.		13 Line 3, "QUESTION: After advising him of	
14 "QUESTION: How did you do that?		14 those rights, did the defendant state anything to	
15 "ANSWER: I told him my name is Joanna		15 you?	
16 Leafblad, I'm an Assistant State's Attorney, I'm a		16 "ANSWER: Yes, he stated he understood	
17 lawyer and prosecutor, and I'm not his lawyer. I		17 them and he wished to speak to me."	
18 asked him if he understood that.		18 Do you have any reason to dispute that	
19 "QUESTION: After you advised him who you		19 after you had Mirandized Xavier Walker, that he	
20 were and what you did, what did he say?		20 said to you he understood his Miranda rights and	
21 "ANSWER: He said he understood.		21 that he wished to speak to you?	
22 "After that, did you have an opportunity		22 MR. COYNE: Objection, foundation.	
23 to advise him of anything?		23 MS. REED: Same objection. As well as	
24 "ANSWER: I advised him of his Miranda		24 speculation and form.	

Transcript of Joanna Liotine-Leafblad

17 (65 to 68)

Conducted on July 7, 2022

	65		67
1 BY THE WITNESS:		1 marked CCSAO XAVIER WALKER 5877. Picking up at	
2 A I have no reason to dispute it.		2 Line 1.	
3 BY MS. ADEEYO:		3 "QUESTION: And there's a bench in the	
4 Q I'm going to pick up on Line 7.		4 room?	
5 "QUESTION: Did you have an opportunity to		5 "ANSWER: There's a bench attached to the	
6 speak to the defendant?		6 wall.	
7 "ANSWER: Yes, I did.		7 "QUESTION: Was the defendant handcuffed	
8 "QUESTION: Who was present at the time		8 in any way?	
9 you were speaking with him?		9 "ANSWER: No."	
10 "ANSWER: Detective Pietryla.		10 Do you have any reason to dispute that	
11 "QUESTION: Where were you at the time you		11 when you interviewed Xavier Walker, he was	
12 were speaking with him in Detective Pietryla's		12 handcuffed during that interview?	
13 presence?		13 MR. COYNE: Objection, foundation.	
14 "ANSWER: In Area 4 interview room.		14 MS. REED: Same objection as well as	
15 "QUESTION: Can you describe that room		15 speculation and form.	
16 generally?		16 BY MS. ADEEYO:	
17 "ANSWER: It's a small room. I'm not		17 Q You can answer.	
18 quite sure of the dimensions. But there's a bench		18 A Well, it says that he was not handcuffed,	
19 in the room that's attached to the wall, and then		19 so I have no reason to dispute that he was not	
20 there's a bar behind the bench.		20 handcuffed.	
21 "QUESTION: Were there any chairs in that		21 Q I'm going to pick up there on Line 5, same	
22 room?		22 page.	
23 "ANSWER: No chairs typically in that		23 "QUESTION: Approximately how long did you	
24 room, and we brought them in to sit down when we		24 speak to him for?	
	66		68
1 talked to Mr. Walker."		1 "ANSWER: Anywhere from 15 minutes to a	
2 First, do you have any reason to dispute		2 half-hour.	
3 that Detective Pietryla was present in the		3 "QUESTION: After speaking with him, would	
4 interview room when you spoke to Xavier Walker?		4 it be fair to say he admitted participation in	
5 MR. COYNE: Objection, foundation.		5 this homicide?	
6 MS. REED: Join objection.		6 "ANSWER: Yes, he did."	
7 BY THE WITNESS:		7 Do you have any reason to dispute that	
8 A I have no reason to dispute that.		8 after speaking with Xavier Walker during the	
9 BY MS. ADEEYO:		9 interview, that he admitted to participation in	
10 Q Do you have any reason to dispute that		10 the homicide of Marek Majdak?	
11 your description of the Area 4 interview room in		11 MR. COYNE: Objection, foundation.	
12 which you interviewed Xavier Walker is incorrect?		12 MS. REED: Same objection as well as form,	
13 MR. COYNE: Objection, foundation.		13 speculation, hearsay.	
14 MS. REED: Join objection.		14 BY MS. ADEEYO:	
15 Sorry. Go ahead, Counsel.		15 Q You can answer.	
16 BY THE WITNESS:		16 A I have no reason to dispute that this is	
17 A I have no reason to think it's incorrect		17 what the document says.	
18 or to dispute it.		18 Q And when you're testifying before a court	
19 MS. REED: Just for the record, I want to		19 as an ASA, you would not lie under oath; is that	
20 make sure that you got that I joined the objection		20 correct?	
21 as counsel for foundation and form.		21 MS. REED: I'm going to object to form,	
22 MS. REPORTER: I did. Thank you.		22 speculation, and foundation.	
23 BY MS. ADEEYO:		23 BY MS. ADEEYO:	
24 Q Okay. I'm going to jump down to the page		24 Q You can answer.	

Transcript of Joanna Liotine-Leafblad

18 (69 to 72)

Conducted on July 7, 2022

	69		71
1 A Okay. Well, I want to answer the way you		1 "Yes, it was.	
2 worded the question, so I'm going to -- it is		2 "QUESTION: In between the time you were	
3 correct that I would not lie.		3 done speaking to him at approximately 10:45 to the	
4 Q I'm going to pick up here on Line 11.		4 time the videotaped statement was begun at	
5 "QUESTION: After speaking with him and		5 approximately 11:43, while you were waiting for	
6 the defendant making an admission, did you advise		6 the videographer to arrive, did you have an	
7 him of anything regarding the statement?		7 opportunity to speak to the defendant by yourself?	
8 "That there -- I advised him of the		8 "Yes, I did."	
9 different ways it would be possible to record the		9 Ms. Leafblad, do you have any reason to	
10 statement, and he chose to have it recorded in a		10 dispute that you spoke with Xavier Walker between	
11 video statement."		11 the time of 10:45 and 11:43 on May 29, 2000?	
12 Do you have any reason to dispute that		12 MR. COYNE: Objection, foundation.	
13 when you interviewed Xavier Walker, he chose to		13 MS. REED: I'm going to join the objection	
14 record his admission in a video statement?		14 for foundation, as well as form, speculation, and	
15 MS. REED: I'm going to object to		15 hearsay.	
16 foundation, form, speculation, and hearsay.		16 BY MS. ADEEYO:	
17 BY THE WITNESS:		17 Q You can answer.	
18 A I have no reason to dispute that.		18 A I have no reason to dispute.	
19 MR. COYNE: Sorry. Somehow I got muted,		19 Q Okay. I'm going to jump down to Line 17	
20 so I don't think my prior objections were -- I		20 on the page marked CCSAO XAVIER WALKER 5879.	
21 just want to make a record of that. Go ahead.		21 "QUESTION: What was the reason for	
22 MS. REED: Counsel, I don't believe your		22 speaking to him by yourself?	
23 objection was actually heard. I didn't hear		23 "ANSWER: I wanted to know if he had been	
24 anything from you.		24 all right, sir, and treated poorly [sic] and had	
	70		72
1 MR. COYNE: Thank you. I was objecting,		1 food to eat.	
2 and then I noted that I was somehow muted even		2 "QUESTION: What did he indicate as far as	
3 though I didn't hit the mute button.		3 how he had been treated by the police outside of	
4 MS. REED: Okay. So your objection is not		4 the police presence?	
5 on the record.		5 "ANSWER: He indicated he had been treated	
6 MR. COYNE: Okay. Which one? The last		6 fine. He didn't mention any problems or	
7 one you mean?		7 anything."	
8 MS. REED: Any of them for that question,		8 Do you have any reason to dispute that	
9 the previous question.		9 when you spoke to Xavier Walker during that	
10 MR. COYNE: All right. I'll join		10 interview on May 29th, that he told you that he	
11 Counsel's objections. Thank you.		11 had been treated fine by police?	
12 MS. REED: You're welcome.		12 MR. COYNE: Note an objection. I think,	
13 BY MS. ADEEYO:		13 Counsel, I think there was a misstatement.	
14 Q I'm going to jump down a bit in this		14 Line 20 did not say "poorly," it says, "properly."	
15 transcript here.		15 MS. REED: And I'm also going to object to	
16 Let me go back up here to CCSAO XAVIER		16 lack of foundation, form, speculation, hearsay,	
17 WALKER 5877. I'm going to take you down to		17 and join Counsel's objection.	
18 Line 21.		18 BY MS. ADEEYO:	
19 "Did a videographer eventually arrive by		19 Q Let me reask my question.	
20 the name of Sandra Brennan?		20 Do you have any reason to dispute that	
21 "ANSWER: Yes.		21 when you spoke to Xavier Walker on May 29th of	
22 "QUESTION: Was a video statement taken		22 2000, that he told you that he had been all right	
23 approximately 11:43 that evening on May 29th of		23 and treated properly and had food to eat?	
24 the 2000?		24 MR. COYNE: Objection, foundation.	

Transcript of Joanna Liotine-Leafblad

19 (73 to 76)

Conducted on July 7, 2022

	73		75
1 MS. REED: Same objection -- I'm going to 2 join Counsel's objection for foundation, as well 3 as speculation, hearsay, and form. 4 BY MS. ADEEYO: 5 Q You can answer. 6 A I do not dispute that that's what the 7 record says. 8 Q Do you have any reason to dispute that 9 when you talked to Xavier Walker during that 10 interview, that he indicated to you that he had 11 been treated fine, that he didn't mention any 12 problems or anything?		1 BY MS. ADEEYO: 2 Q All right. I'm going to take you through 3 this statement here. Second paragraph starting on 4 City NK 243. 5 "We're here to take the statement of 6 Xavier Walker concerning the investigation of the 7 robbery and shooting death of Marek Majdak which 8 occurred on May 13th, 2000, at approximately 9 1:00 to 1:14 a.m. at 4721 West Ohio in Chicago, 10 Cook County, Illinois. 11 "Xavier, before we spoke, I explained that 12 I'm Assistant State's Attorney Joanna Leafblad, 13 that I'm a lawyer and a prosecutor, and I'm not 14 your lawyer; is that correct? 15 "ANSWER: Yes, ma'am. 16 "QUESTION: Okay. And before we spoke, I 17 advised you of your Constitutional rights; is that 18 correct? 19 "ANSWER: Yes, ma'am. 20 "QUESTION: Xavier Walker, I talked to you 21 earlier, and you told me about the robbery and 22 shooting of Marek Majdak. And at that time you 23 told me that on the 13th of May 2000, you were out 24 getting high with Jovanie Long who you also call	
13 MR. COYNE: Objection, foundation. 14 MS. REED: Join objection, as well as 15 hearsay, speculation, and form. 16 BY THE WITNESS: 17 A I have no reason to dispute it. 18 BY MS. ADEEYO: 19 Q Now I'm going to turn to an exhibit that 20 I'll mark as Exhibit 4. 21 (WHEREUPON, Leafblad Exhibit No. 4 was 22 presented to the witness.) 23 BY MS. ADEEYO: 24 Q It's Bates-stamped City NK 243 to 258.			
	74		76
1 Do you see this document on the screen, 2 Ms. Leafblad? 3 A Yes. 4 Q At the top here it says: "Re: 5 Investigation" -- and in parenthesis -- "Robbery 6 and Shooting Death of Marek Majdak; Video 7 Statement of Xavier Walker; taken in an interview 8 room, Area 4 headquarters, Chicago, Illinois on 9 May 29, 2000, at 11:43 p.m.; Present: Joanna 10 Leafblad, Assistant State's Attorney; Detective 11 Pietryla, Star No. 21209, Area 4 Violent Crimes; 12 Recorded by: Sandra A. Brennan." 13 So, Ms. Leafblad, do you have any reason 14 to dispute that you were present for the 15 videotaped statement of Xavier Walker at Area 4 on 16 May 29th, 2000? 17 MS. REED: I'm -- 18 MR. COYNE: Objection -- 19 MS. REED: -- going to -- I'm going to 20 join the objection for foundation as well as 21 speculation and form. 22 BY THE WITNESS: 23 A I do not have any reason to dispute it. 24		1 Vani. You were ran out of money and decided to go 2 rob people coming to buy drugs on Ohio. 3 "Vani had a gun. You were the lookout for 4 Vani, watching his back and watching for police. 5 When a man drove up in a van, Vani got in and held 6 a gun up to that man. You saw a struggle and 7 started toward the van, maybe to hold the man so 8 that Vani could get his money. The man ran out of 9 the van and Vani shot him. Vani took the money 10 out of his pocket and you both ran? 11 "ANSWER: Yes, ma'am." 12 Do you have any reason to dispute that 13 this is what Xavier Walker told you when you 14 interviewed him on May 29? 15 MR. COYNE: Objection, foundation. 16 MS. REED: I'm going to join the objection 17 for foundation, as well as speculation, form, and 18 hearsay. 19 BY THE WITNESS: 20 A No, I have no reason to dispute it. 21 BY MS. ADEEYO: 22 Q I'm going to then jump to City NK 246. 23 Actually, let me go back up to 24 City NK 245.	

Transcript of Joanna Liotine-Leafblad

20 (77 to 80)

Conducted on July 7, 2022

	77		79
1	MR. COYNE: And, Natalie, we've been going	1	QUESTION: Okay. And when you were
2	over an hour so whenever is convenient for you, if	2	smoking and drinking -- you stopped smoking and
3	we could just take five minutes. Whenever is	3	drinking at one point; is that right?
4	convenient for you; I don't want to interrupt your	4	"ANSWER: Yes, ma'am.
5	flow.	5	"And why did you stop?
6	MS. ADEEYO: Actually, I'd rather take it	6	"ANSWER: We didn't have no more --
7	now before we start getting into the substance of	7	nothing else to drink or nothing else to smoke.
8	what was said during the videotape.	8	"QUESTION: Okay. Did you have any money
9	MS. REED: Okay. That's cool.	9	or anything?
10	MS. ADEEYO: So, yeah, we can come back at	10	"ANSWER: No, ma'am.
11	11:20.	11	"QUESTION: And when you didn't have any
12	MR. COYNE: Thank you.	12	money, did you start talking about doing
13	(WHEREUPON, a recess was had.)	13	something?
14	BY MS. ADEEYO:	14	"ANSWER: Yeah, we talked about going
15	Q So, Ms. Leafblad, before we took about a	15	outside and snatch some money so we can go -- just
16	ten-minute break there, we were discussing	16	have some more money.
17	Exhibit 4, which is Bates-stamped City NK 243 to	17	"QUESTION: And what is that called when
18	258. And at the top, it's marked "Video Statement	18	you snatch money?
19	of Xavier Walker."	19	"ANSWER: Hitting a lick.
20	Do you recall our conver- -- your	20	"QUESTION: Okay. And when you hit a
21	testimony about that document?	21	lick, what exactly do you do?
22	A Yes, that we were just -- that's what we	22	"ANSWER: Well, we -- me and my friends,
23	were just reviewing.	23	we'll just give him anything, some grass or
24	Q Okay. So I'm going to kind of jump back	24	something or some fake -- some fake drugs so we
	78		80
1	in here.	1	can snatch they money and run.
2	On City NK 245 -- let me share my screen.	2	"QUESTION: And you do that to who?
3	Okay. Ms. Leafblad, do you see	3	"ANSWER: Customers that come up, Black,
4	City NK 245 on your screen?	4	white, all types of customers.
5	A I don't see where the marking is, but I do	5	"QUESTION: People who come to buy drugs?
6	see a page on my screen.	6	"ANSWER: Customers that come to buy
7	Yes, that's the one.	7	drugs.
8	Q Okay. Perfect. So I'm going to pick up	8	"QUESTION: And have you -- how many times
9	here where it says: "QUESTION: Okay. Xavier, on	9	have you done -- have you hit a lick before with
10	May 13th, 2000."	10	10 people?
11	Do you see that line there?	11	"ANSWER: About 30 to -- 30, 40, 50."
12	A Yes.	12	So the testimony that I just read to you,
13	Q Okay.	13	do you have any reason to dispute that that's what
14	"QUESTION: Okay. Xavier, on May 13th,	14	Xavier Walker said during his videotaped
15	2000, were you out with Vani?	15	statement?
16	"ANSWER: Yes, ma'am.	16	MR. COYNE: Objection, foundation.
17	"QUESTION: And what were you doing?	17	MS. REED: I'm going to join the objection
18	"We was walking around trying to wait for	18	for foundation, as well as speculation, hearsay,
19	a -- a customer or something so we can just give	19	and form.
20	him anything. It's not just money" -- and in	20	BY THE WITNESS:
21	parenthesis it says "inaudible."	21	A I have no -- I have no reason to dispute
22	"QUESTION: Okay. But before that, were	22	it.
23	you doing anything with Jovanie?	23	BY MS. ADEEYO:
24	"ANSWER: We were smoking and drinking.	24	Q I'm going to pick up at that last line

Transcript of Joanna Liotine-Leafblad

21 (81 to 84)

Conducted on July 7, 2022

	81		83
1	there on City NK 246.	1	Do you have any reason to dispute that
2	"QUESTION: Okay. And how many times have	2	during Xavier Walker's videotaped statement, he
3	you actually gone to hit a lick with Vani?	3	said that Vani had a gun?
4	"ANSWER: About two or three times before.	4	MR. COYNE: Objection, foundation.
5	"QUESTION: And when you hit a lick with	5	MS. REED: Join objection, as well as
6	someone, do you switch off being lookouts?	6	speculation, form, and hearsay.
7	"ANSWER: Sometime.	7	BY THE WITNESS:
8	"QUESTION: And when you were out that	8	A I have no reason to dispute this record.
9	night, were you being the lookout for Vani?	9	BY MS. ADEEYO:
10	"ANSWER: Yes, ma'am."	10	Q I'm going to pick up at the next line on
11	Do you have any reason to dispute that	11	City NK 248.
12	Xavier Walker said during his videotaped statement	12	"And why did he have the gun?
13	that that night he was being a lookout for Vani?	13	"ANSWER: Because at the time our -- our
14	MR. COYNE: Objection, foundation.	14	neighborhood, the gangs into it around there.
15	MS. REED: Join objection, as well as	15	"QUESTION: What gang is in your
16	hearsay, speculation, and form.	16	neighborhood?
17	BY THE WITNESS:	17	"ANSWER: Double IVLs.
18	A I have no reason to dispute that that's	18	"QUESTION: And Double IVLs, is that
19	what the record says that -- so no.	19	Insane Imperial Vice Lords?
20	BY MS. ADEEYO:	20	"ANSWER: Yes, ma'am."
21	Q And I'm going to jump here on City NK 347	21	Do you have any reason to dispute that
22	where it says:	22	during this videotaped statement, Xavier Walker
23	"QUESTION: And, before that, about how	23	said that Vani had a gun because of their
24	long were you waiting around for somebody to come	24	neighborhood --
	82		84
1	over so you can hit a lick?	1	MR. COYNE: Objection --
2	"ANSWER: About an hour and a half.	2	BY MS. ADEEYO:
3	"QUESTION: And when you're the lookout	3	Q -- into it around there?
4	for someone what -- what do you do?	4	MR. COYNE: Sorry.
5	"ANSWER: Just stand in the way looking	5	Objection, foundation.
6	for the police or for another customer who comes	6	MS. REED: Join objection, as well as
7	so you can hit you a lick.	7	speculation, form, and hearsay.
8	"QUESTION: And do you also watch each	8	BY THE WITNESS:
9	other's backs?	9	A I have no reason to dispute that this
10	"ANSWER: Yes, ma'am."	10	10 is -- this document says that is what was said.
11	I'm going to jump down to this last line	11	BY MS. ADEEYO:
12	here.	12	Q Okay. I'm going to pick up here on
13	"QUESTION: Okay. And that night, Vani	13	City NK 248.
14	had a gun; is that right?	14	"QUESTION: So you were waiting for about
15	"ANSWER: Yes, ma'am.	15	an hour and a half. And did somebody come up?
16	"QUESTION: And what kind of gun? Do you	16	"ANSWER: Yes, ma'am.
17	remember kind of what the gun looked like?	17	"QUESTION: And what was -- was the person
18	"ANSWER: It was rusty and it was	18	driving a car?
19	automatic. That's all I know.	19	"ANSWER: A van, ma'am.
20	"QUESTION: Okay. Do you know where	20	"QUESTION: Do you remember what color the
21	Vani -- where Vani got that gun?	21	van was?
22	"ANSWER: No, ma'am. From -- I just know	22	"ANSWER: No, ma'am. It was dark outside,
23	from one of the other people -- peoples in the	23	and I was intoxicated.
24	neighborhood."	24	"QUESTION: Okay. Was there somebody in

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22 (85 to 88)

Conducted on July 7, 2022

	85		87
1	the van?	1	"QUESTION: Was that a good place to see
2	"ANSWER: Yes, ma'am.	2	at all angles where people would be coming from?
3	"QUESTION: What did the man look like,	3	"ANSWER: Yes, ma'am.
4	could you tell?	4	"QUESTION: Did you see any police at that
5	"ANSWER: I ain't never seen him really.	5	time?
6	"QUESTION: Could you tell if -- if he was	6	"ANSWER: No, ma'am.
7	white, Black, Hispanic?	7	"QUESTION: And what did you see Vani do?
8	"ANSWER: Yeah, he looked like white or	8	"ANSWER: He got in the van. And then I
9	Hispanic. That's all, though.	9	heard a noise, so I looked around. They was -- he
10	"QUESTION: And when you -- when that van	10	was, like, tussling with the man over the money
11	pulled up, where was they standing and where were	11	and the gun."
12	you standing? Or, I'm sorry, where was Vani	12	During the videotaped statement, do you
13	standing and where were you standing?	13	have any reason to dispute that Walker stated that
14	"ANSWER: First we was both standing	14	he saw Vani get in the van, and then Walker heard
15	together by the entrance of the park, and the van	15	a noise and looked around? Do you have any reason
16	pulled down some, about at the ending of the park,	16	to dispute that that's what Walker said?
17	and I walked off going towards the opposite way	17	MR. COYNE: Objection, foundation.
18	towards the alley to watch out.	18	MS. REED: Join objection, as well as
19	"QUESTION: And what street --	19	speculation, hearsay, form.
20	"ANSWER: And Vani --	20	BY THE WITNESS:
21	"QUESTION: I'm sorry --	21	A I have no reason to dispute it.
22	"ANSWER: -- on Ohio and Kil- -- in the	22	BY MS. ADEEYO:
23	middle -- on Ohio in the middle of Kilpatrick and	23	Q And do you have any reason to dispute that
24	Cicero.	24	Walker said that he saw Vani tussling with the man
	86		88
1	"QUESTION: That's where you were?	1	over the money and the gun?
2	"ANSWER: Yeah, both of us was on -- all	2	MR. COYNE: Objection, foundation.
3	of us was on Ohio in the middle of Kilpatrick to	3	MS. REED: Join objection, as well as
4	Cicero. I walked going towards the alley. He	4	speculation, form, and hearsay.
5	went to the van."	5	BY THE WITNESS:
6	During this videotaped statement, do you	6	A I have no reason to dispute that.
7	have any reason to dispute that Xavier Walker	7	BY MS. ADEEYO:
8	stated that he and Vani was on Ohio in the middle	8	Q And there's this question here:
9	of Kilpatrick to Cicero, that Walker walked	9	"And what did you do when you saw Vani
10	towards the alley, and Vani went to the van?	10	tussling with the man?
11	MR. COYNE: Objection, foundation.	11	"ANSWER: I started going back towards the
12	MS. REED: Join objection, as well as	12	van."
13	speculation, form, hearsay, and compound.	13	Do you have any reason to dispute that
14	BY THE WITNESS:	14	Walker stated during his videotaped statement that
15	A I have no reason to dispute it, no.	15	he started walking towards the van?
16	BY MS. ADEEYO:	16	MR. COYNE: Objection, foundation.
17	Q Okay. I'm going to jump down to	17	MS. REED: Join objection, as well as
18	City NK 250. This first full question here on	18	speculation, hearsay, and form.
19	that page, it states:	19	BY THE WITNESS:
20	"Okay. And why were you standing in that	20	A I have no reason to dispute it.
21	area?	21	BY MS. ADEEYO:
22	"ANSWER: To watch just in case the police	22	Q Okay. So I'm going to pick up on that
23	come or if another customer come or just	23	question at 250 that was next.
24	watching -- watching out.	24	"QUESTION: And why did you start going

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23 (89 to 92)

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	89		91
1	back toward the van?	1	MS. REED: Join objection, as well as
2	"ANSWER: Just in case he needed -- cause	2	speculation, form, hearsay.
3	I thought that he was just -- he had the man money	3	BY THE WITNESS:
4	already, and the man was trying to grab him and	4	A I have no reason to dispute it.
5	get his money back, so I was gonna just try to	5	BY MS. ADEEYO:
6	help.	6	Q I'm going to pick up at the next question
7	"QUESTION: And when you said you were	7	on that same page, City NK 251.
8	going to try to help, what were you going to try	8	"QUESTION: And what did you do after you
9	to do?	9	saw the man get shot?
10	"ANSWER: Try to just grab the man and	10	"ANSWER: I was stalling for a minute
11	hold him, pull him off him so we both could run."	11	because I was stuck and I was scared, and then I
12	You have no reason to dispute that Walker	12	ran the opposite way.
13	stated that he was going to try to grab the man,	13	"Did you see any police at that time?
14	hold him, pull him off of him so we could both	14	"ANSWER: No, ma'am.
15	run?	15	"QUESTION: Did -- what did Vani do with
16	MR. COYNE: Objection, foundation.	16	the man after he dropped?
17	MS. REED: Join objection, as well as	17	"ANSWER: I guess he got the money and he
18	speculation, hearsay, form.	18	ran the opposite way.
19	BY THE WITNESS:	19	"QUESTION: And where -- then where did
20	A I have no reason to dispute that.	20	you go?
21	BY MS. ADEEYO:	21	"ANSWER: I went home."
22	Q Now I'm picking up on City NK 251 at the	22	Do you have any reason to dispute that
23	first question here.	23	Xavier Walker stated he went home after Jovanie
24	"QUESTION: And you were going to hold the	24	shot the man?
	90		92
1	man just in case Vani didn't have the money so he	1	MR. COYNE: Objection, foundation.
2	could get it?	2	MS. REED: Join objection, as well as
3	"ANSWER: Yes, ma'am.	3	speculation, form, and hearsay.
4	"QUESTION: And when you started running	4	BY THE WITNESS:
5	towards the van and then you -- did you stop or	5	A I have no reason to dispute that.
6	did you keep going?	6	BY MS. ADEEYO:
7	"ANSWER: I stopped because the door had	7	Q Okay. I'm going to pick up now on
8	opened, the man had got out.	8	City NK 252, this first question here.
9	"QUESTION: What side of the car did the	9	"And when you went home, did you -- what
10	man get out of?	10	did you do when you got home? Did you stay there
11	"ANSWER: The driver's side.	11	all night or did you leave?
12	"QUESTION: Driver's side of the van?	12	"ANSWER: I seen some of my friends and
13	"ANSWER: Yes, ma'am.	13	they -- one of my other friends had just got out
14	"QUESTION: What did the man do when he	14	of jail, and they was going to the club to
15	ran out of the van?	15	celebrate, so I went and talked to my sister. By
16	"ANSWER: He got a little -- a little bit	16	me just getting my license, she let me use her car
17	of ways and he dropped.	17	so I can go to the club, to the restaurant.
18	"QUESTION: Why did he drop?	18	"QUESTION: What kind of car was it?
19	"ANSWER: He had been shot.	19	"ANSWER: A Ford Taurus.
20	"Okay. And who shot him?	20	"QUESTION: What color was it?
21	"ANSWER: Jovanie."	21	"ANSWER: Green.
22	Do you have any reason to dispute that	22	"QUESTION: And did you go -- where did
23	Walker stated that Jovanie shot the man?	23	you go after that when you were in the car with
24	MR. COYNE: Objection, foundation.	24	your friends?

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24 (93 to 96)

Conducted on July 7, 2022

	93		95
1	"ANSWER: First I went to a restaurant,	1	First question: "Okay. I'm going to show
2	and then I went back around Cicero."	2	you -- and when you saw them -- you saw Vani with
3	Based on the testimony that I just read,	3	them?
4	do you have any reason to dispute that this is	4	"ANSWER: Yes, ma'am.
5	what Xavier Walker stated during his videotaped	5	"QUESTION: And what happened when you saw
6	statement?	6	Vani?
7	A I don't --	7	"ANSWER: He start -- he flagged me down
8	MR. COYNE: Objection, foundation.	8	and he got in the car.
9	MS. REED: Join objection, as well as	9	"QUESTION: And what happened after he got
10	speculation, hearsay, and form.	10	into the car?
11	BY THE WITNESS:	11	"ANSWER: We went to the club.
12	A I have no reason to dispute it.	12	"QUESTION: What club do you go to?
13	BY MS. ADEEYO:	13	"ANSWER: The (inaudible) Factory.
14	Q And as we made our way about halfway	14	"QUESTION: And where is that club?
15	through Xavier Walker's video statement, does this	15	"ANSWER: On Lake and St. Louis."
16	testimony refresh your recollection at all as to	16	Based on the testimony I just read, do you
17	the taking of this statement?	17	have any reason to dispute that Xavier Walker
18	A No, it does not.	18	stated that Jovanie got into the car and then they
19	Q Okay. I'm going to pick up there on	19	went to the club on Lake and St. Louis?
20	City NK 252.	20	MR. COYNE: Objection, foundation.
21	"QUESTION: Why did you go back around	21	MS. REED: Join objection, as well as
22	there?	22	speculation, hearsay, and form.
23	"ANSWER: Just to see what was going on.	23	BY THE WITNESS:
24	"QUESTION: What was going on back where	24	A I have no reason to dispute it.
	94		96
1	the man got shot?	1	BY MS. ADEEYO:
2	"ANSWER: Through the neighborhood,	2	Q Okay. I'm going to jump to a question on
3	period.	3	City NK 253 right here. It says:
4	"QUESTION: And what did you see when you	4	"QUESTION: After you were -- about how
5	got there?	5	long were you in the club?
6	"ANSWER: I seen police all over Ohio, and	6	"ANSWER: About 20, 30 minutes because it
7	when I -- Ohio was blocked off and Erie is a	7	was almost closing time.
8	one-way, so I had to go back towards Huron and	8	"QUESTION: And after you left the club,
9	come down. And I went towards Huron.	9	where did you go?
10	"When I got on -- when I got around Erie,	10	"ANSWER: Went over -- over Bubble house.
11	I seen Jovanie, Tee Tee, and Shontay and	11	"QUESTION: Bubble?
12	(inaudible) all walking up."	12	"ANSWER: Yes" -- "yes, ma'am," excuse me.
13	Do you have any reason to dispute that	13	"QUESTION: Okay. I'm going to show you
14	Xavier Walker stated that he went back to Ohio the	14	what's going to be marked as Statement Exhibit 2
15	night of the murder?	15	for identification. Is that Bubble?
16	MR. COYNE: Objection, foundation.	16	"ANSWER: Yes, ma'am.
17	MS. REED: Same -- I'm sorry, join	17	"QUESTION: Do you know Bubble's real
18	objection, as well as speculation, form, and	18	name.
19	hearsay.	19	"ANSWER: Antwon, ma'am."
20	BY MS. ADEEYO:	20	Do you know any reason to dispute that
21	Q You can answer.	21	Xavier Walker stated after he went to the club, he
22	A I have no reason to dispute it.	22	went to Bubble, a/k/a Antwon's, house?
23	Q I'm going to now turn to the next page,	23	MR. COYNE: Objection, foundation.
24	City NK 253.	24	MS. REED: Join objection, as well as

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25 (97 to 100)

Conducted on July 7, 2022

	97		99
1	speculation, form, and hearsay.	1	MR. COYNE: Objection, foundation.
2	BY THE WITNESS:	2	MS. REED: Join objection, as well as
3	A I have no reason to dispute it.	3	speculation, form, and hearsay.
4	BY MS. ADEEYO:	4	BY THE WITNESS:
5	Q Okay. I'm going to jump now to	5	A I have no reason to dispute that the
6	City NK 254.	6	record -- this record reflects that.
7	"QUESTION: Okay. When you went over to	7	BY MS. ADEEYO:
8	Bubble's house, did you see anybody else you knew?	8	Q Okay. Now I'm going to turn to
9	"ANSWER: Yes, ma'am. Boo Boo was	9	City NK 254, the next page --
10	sleeping in the car behind Bubble car -- house --	10	A Excuse me, that this document reflects it.
11	"QUESTION: I'm going to show you --	11	Q So on City NK 255 I am on the second full
12	"ANSWER: -- in the driveway?	12	question listed on the page.
13	"QUESTION: I'm going to show you what's	13	It says: "QUESTION: And when you went
14	marked as Exhibit 3, Statement Exhibit 3. Who is	14	over to Boo Boo's house, who was there?
15	that in that picture?	15	"ANSWER: Tee Tee and Shontay and the
16	"ANSWER: That's Boo Boo, ma'am.	16	16 kids.
17	"QUESTION: Do you know Boo Boo's real	17	"QUESTION: Okay. Who is Tee Tee?
18	name?	18	"ANSWER: Boo Boo mother.
19	"ANSWER: No, ma'am.	19	"QUESTION: Who is Shontay?
20	"QUESTION: So you saw Boo Boo sleeping in	20	"ANSWER: A girl. Just a little
21	the car?	21	neighborhood girl that be over Boo Boo house. She
22	"Yes, ma'am.	22	be living with him.
23	"QUESTION: Okay. Did you and Vani talk	23	"QUESTION: Okay. What's their address?
24	to Boo Boo?	24	"ANSWER: I don't -- it's the 4600. I
	98		100
1	"ANSWER: Yes, ma'am.	1	I don't know the exact address.
2	"QUESTION: And did you tell him what	2	"QUESTION: On what street?
3	happened?	3	"ANSWER: On Erie and Kilpatrick.
4	"ANSWER: Yes, ma'am.	4	"QUESTION: Okay. And when you got there,
5	"QUESTION: What did you say to Boo Boo	5	did you talk to Shontay?
6	about it?	6	"ANSWER: Yes, ma'am.
7	"ANSWER: I was -- after Vani left going	7	"QUESTION: And what did you talk to
8	to the window to go try to get in Bubble house, I	8	Shontay about?
9	had told Boo Boo, I was, like: You all bogus for	9	"ANSWER: On our way coming over there,
10	leaving Vani over there without knowing that can't	10	Jovanie was trying to get me to go and wipe the
11	nobody can control him when he's drunk and stuff	11	fingerprints off, and I wasn't fitting to go do
12	and high with a gun."	12	that. I was fitting to jack myself off. So I
13	Do you have any reason to dispute that	13	tried to trick her to go and do it like he was
14	Xavier Walker had this conversation with Maurice	14	trying to trick me to go do it.
15	Wright on the day of the murder?	15	"QUESTION: Wipe the --
16	MR. COYNE: Objection, foundation.	16	"ANSWER: But she ain't want to go do it."
17	MS. REED: Join objection, as well as	17	Do you have any reason to dispute that
18	speculation, form, and hearsay.	18	Xavier Walker had a conversation with Shontay the
19	BY THE WITNESS:	19	night of the murder?
20	A I have no reason to dispute it.	20	MR. COYNE: Objection, foundation.
21	BY MS. ADEEYO:	21	MS. REED: Join objection, as well as
22	Q And you have no reason to dispute that	22	speculation, form, and hearsay.
23	this is what Xavier Walker stated during his	23	BY THE WITNESS:
24	videotaped statement, correct?	24	A I have no reason to dispute that that's

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26 (101 to 104)

Conducted on July 7, 2022

<p>101</p> <p>1 what this document says.</p> <p>2 BY MS. ADEEYO:</p> <p>3 Q After having just reviewed this statement 4 of Ashanti Wright and this testimony that I just 5 read to you, do you have reason to believe that 6 Shontay is Ashanti Wright?</p> <p>7 MR. COYNE: Objection, foundation.</p> <p>8 MS. REED: Join objection, as well as 9 speculation.</p> <p>10 BY THE WITNESS:</p> <p>11 A I mean, I would be guessing. I don't have any -- from this document, I don't have anything that would indicate one way or another.</p> <p>14 BY MS. ADEEYO:</p> <p>15 Q And you have no reason to dispute that 16 Xavier Walker told Ashanti Wright to go and wipe 17 the fingerprints off; is that correct?</p> <p>18 A I don't --</p> <p>19 MR. COYNE: Objection, foundation.</p> <p>20 THE WITNESS: Oh, sorry.</p> <p>21 MS. REED: Join objection, as well as 22 speculation, form, and hearsay.</p> <p>23 BY THE WITNESS:</p> <p>24 A I don't dispute that what the documents --</p>	<p>103</p> <p>1 recall the -- I don't recall actually taking the statement, I'm just reading this here. And so, 3 no, I don't see anything in particular that I 4 would find an error, clerical or otherwise.</p> <p>5 Q I'm going to draw your attention, on the 6 same Exhibit 4, to City NK 257. Starting with the 7 fourth question continuing on the page. It 8 states:</p> <p>9 "QUESTION: Okay. Have you been treated 10 okay by the police and by me?"</p> <p>11 "ANSWER: Yes, ma'am."</p> <p>12 "QUESTION: Have you had anything to eat 13 while you've been here?"</p> <p>14 "ANSWER: Yes, ma'am."</p> <p>15 "QUESTION: What have you had?"</p> <p>16 "ANSWER: A burger and some fries."</p> <p>17 "QUESTION: Okay. Have you gotten to 18 smoke cigarettes whenever you wanted to?"</p> <p>19 "ANSWER: Yes, ma'am."</p> <p>20 "QUESTION: Have you been able to go to 21 the bathroom whenever you've needed to?"</p> <p>22 "ANSWER: Yes, ma'am."</p> <p>23 "QUESTION: Have any threats or promises 24 been made to you in exchange for this statement?"</p>
<p>102</p> <p>1 that the documents we have gone through thus far 2 seem to show that, but I have no other -- I have 3 no other recollection outside of that.</p> <p>4 BY MS. ADEEYO:</p> <p>5 Q And you do not dispute the accuracy of 6 this transcript, correct?</p> <p>7 MR. COYNE: Objection, foundation.</p> <p>8 MS. REED: Join objection, as well as 9 speculation and form.</p> <p>10 BY THE WITNESS:</p> <p>11 A I don't dispute the accuracy of the transcript outside of what would normally be considered, you know, clerical spelling errors or that sort of thing.</p> <p>15 BY MS. ADEEYO:</p> <p>16 Q In terms of the portions of this 17 transcript that we have read, have you pinpointed 18 any clerical records in this transcript?</p> <p>19 A No, not really.</p> <p>20 Q When you say "not really," that sounds 21 like a qualification. Is there something you 22 believe to be a clerical error?</p> <p>23 A No, I answered the way I did because I 24 don't have anything to compare it to. So I don't</p>	<p>104</p> <p>"ANSWER: No, ma'am."</p> <p>"QUESTION: And are you under the influence of drugs or alcohol at this time?"</p> <p>"ANSWER: No, ma'am."</p> <p>Do you have any reason to dispute that those are the answers that Xavier Walker gave during his videotaped statement to your questions?</p> <p>MR. COYNE: Objection, foundation.</p> <p>MS. REED: Join objection, as well as speculation, form, and hearsay.</p> <p>11 BY THE WITNESS:</p> <p>12 A I have no reason to dispute that those 13 were his answers.</p> <p>14 BY MS. ADEEYO:</p> <p>15 Q When you interviewed Xavier Walker back on 16 May of 2000, do you recall seeing any bruises on 17 his face or body?</p> <p>MR. COYNE: Objection, foundation.</p> <p>MS. REED: Same objection.</p> <p>20 BY THE WITNESS:</p> <p>21 A I don't recall the interview. I'm sorry, 22 I don't recall it, so I can't -- I don't remember 23 what he looked like that day.</p> <p>24</p>

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27 (105 to 108)

Conducted on July 7, 2022

	105		107
1 BY MS. ADEEYO:		1 that seemed, I don't know, suspicious or improper	
2 Q In the event that you had observed a		2 or out of place, then I would have had to call	
3 bruise on his face or body when you were speaking		3 attention to it.	
4 to him, would you have asked him about that		4 BY MS. ADEEYO:	
5 bruise?		5 Q And if that occurred, how would you have	
6 MR. COYNE: Objection, foundation,		6 called attention to it?	
7 speculation, incomplete hypothetical.		7 MR. COYNE: Same objections.	
8 MS. REED: Join objections.		8 MS. REED: Same objections.	
9 BY MS. ADEEYO:		9 BY THE WITNESS:	
10 Q You can answer.		10 A I don't know. I can't -- I don't think	
11 A I could say, in general, I would have --		11 it's right to speculate generally because the	
12 if I noticed something that I thought was of		12 fact -- any facts -- you know, the facts are	
13 concern, I would have inquired about it. In		13 infinite of what could create a situation like	
14 general, again, I don't have a specific		14 that. So I don't know.	
15 recollection of this conversation, but -- and I		15 BY MS. ADEEYO:	
16 don't want to speculate as to how or what I would		16 Q Have you, in your time as an Assistant	
17 have said or done.		17 State's Attorney when interviewing a suspect, have	
18 But if something -- if something stood out		18 you ever encountered a situation in which the	
19 to me as -- I would have questioned it.		19 suspect complained to you that a police officer or	
20 BY MS. ADEEYO:		20 a detective physically abused them in any way?	
21 Q Generally if you're in an interview with a		21 MS. REED: I'm going to object to lack of	
22 suspect and that person told you that a police		22 foundation, speculation, incomplete hypothetical,	
23 officer had abused them, would you have documented		23 and to the form of the question, as well as calls	
24 that information someplace?		24 for a narrative.	
	106		108
1 MS. REED: Objection, foundation -- lack		1 BY THE WITNESS:	
2 of foundation, calls for speculation, and		2 A I do not recall.	
3 incomplete hypothetical.		3 BY MS. ADEEYO:	
4 BY THE WITNESS:		4 Q When you interviewed Xavier Walker, do you	
5 A Well, again, I'm concerned about		5 recall seeing any footprints on the front of his	
6 speculating in any way, but I will say if		6 shirt?	
7 something doesn't seem -- if something in any case		7 MR. COYNE: Objection, foundation.	
8 didn't seem right, I would have done whatever my		8 MS. REED: Join objection, as well as	
9 oath as a prosecutor would have required me to do.		9 speculation and form.	
10 I would not -- I don't -- I can't assume		10 BY THE WITNESS:	
11 that I would have sat still for something like		11 A Absolutely not. I do not recall that. I	
12 that if I noticed.		12 don't remember anything, but I think something --	
13 BY MS. ADEEYO:		13 I don't recall anything that would have made an	
14 Q So you mentioned your oath as a		14 impression on me. I don't recall seeing that.	
15 prosecutor, what it would have required you to do.		15 BY MS. ADEEYO:	
16 So if you had noticed that a suspect had a bruise		16 Q When you interviewed Xavier Walker, do you	
17 or some injury to their face or person, what would		17 recall him ever telling you that he was verbally	
18 your oath require you to have done in that		18 threatened by any police officers or detective?	
19 situation?		19 MR. COYNE: Objection, foundation.	
20 MR. COYNE: Objection, form, foundation,		20 MS. REED: Same objection, as well as	
21 speculation, incomplete hypothetical.		21 speculation and form.	
22 MS. REED: Join.		22 BY THE WITNESS:	
23 BY THE WITNESS:		23 A I do not recall my conversation with him,	
24 A Again, if there was something that I saw		24 so, no, I don't recall anything like that.	

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28 (109 to 112)

Conducted on July 7, 2022

<p style="text-align: right;">109</p> <p>1 BY MS. ADEEYO:</p> <p>2 Q Do you recall Walker ever telling you that 3 an officer cuffed him too tightly on his wrist?</p> <p>4 MR. COYNE: Objection, foundation.</p> <p>5 MS. REED: Same objection, as well as 6 speculation and form.</p> <p>7 BY THE WITNESS:</p> <p>8 A Again, I don't recall my conversation with 9 him, so I don't recall that. I don't recall 10 him -- anything like that.</p> <p>11 BY MS. ADEEYO:</p> <p>12 Q During your interview with Walker, do you 13 recall him saying that the police officer or 14 detective promised him anything in exchange for 15 his videotaped statement?</p> <p>16 MR. COYNE: Objection, form and 17 foundation.</p> <p>18 MS. REED: Same objection, as well as 19 speculation.</p> <p>20 BY THE WITNESS:</p> <p>21 A I do not recall.</p> <p>22 BY MS. ADEEYO:</p> <p>23 Q When you interviewed Walker, do you recall 24 if he ever denied his participation in the murder</p>	<p style="text-align: right;">111</p> <p>1 BY MS. ADEEYO:</p> <p>2 Q Do you remember your interview with 3 Walker, do you recall him telling you that the 4 police did not allow him to use the restroom?</p> <p>5 MR. COYNE: Objection, foundation.</p> <p>6 MS. REED: Same objection.</p> <p>7 BY THE WITNESS:</p> <p>8 A I don't recall that, but it's contrary to 9 what we just went over, I think. I'm not sure, 10 but I don't recall any -- I don't recall that 11 night, so I don't recall that.</p> <p>12 BY MS. ADEEYO:</p> <p>13 Q During your interview with Xavier Walker, 14 do you recall Walker ever telling you that the 15 police forced him to stand up in the interview 16 room?</p> <p>17 MR. COYNE: Objection, foundation.</p> <p>18 MS. REED: Same objection.</p> <p>19 BY THE WITNESS:</p> <p>20 A I don't recall.</p> <p>21 BY MS. ADEEYO:</p> <p>22 Q Okay.</p> <p>23 MS. ADEEYO: Can we just take a quick 24 five-minute break? I believe I'm finished, but I</p>
<p style="text-align: right;">110</p> <p>1 of Marek Majdak?</p> <p>2 MR. COYNE: Objection, foundation.</p> <p>3 MS. REED: Same objection.</p> <p>4 BY THE WITNESS:</p> <p>5 A I don't recall that.</p> <p>6 BY MS. ADEEYO:</p> <p>7 Q During your interview with Walker, do you 8 recall Walker stating that the police told him 9 what to say during his videotaped statement?</p> <p>10 MR. COYNE: Objection, foundation.</p> <p>11 MS. REED: Same objection.</p> <p>12 BY THE WITNESS:</p> <p>13 A I do not recall -- I don't remember the 14 conversation with him, and I don't recall that.</p> <p>15 BY MS. ADEEYO:</p> <p>16 Q During your interview with Xavier Walker, 17 do you recall Walker telling you that the police 18 did not allow him to sleep while he was in the 19 interview room?</p> <p>20 MR. COYNE: Objection, foundation.</p> <p>21 MS. REED: Same objection.</p> <p>22 BY THE WITNESS:</p> <p>23 A No, I don't recall that.</p> <p>24</p>	<p style="text-align: right;">112</p> <p>1 want to run through my outline. Can we come back 2 at 12:00?</p> <p>3 MR. COYNE: Of course.</p> <p>4 MS. REED: Sure.</p> <p>5 (WHEREUPON, a recess was had.)</p> <p>6 MS. ADEEYO: All right. Ms. Leafblad, 7 that's all the questions I have for you today. 8 Thank you for your time. The other attorneys 9 present on the Zoom may have some follow-up.</p> <p>10 THE WITNESS: Thank you.</p> <p>11 EXAMINATION</p> <p>12 BY MS. ITCHHAPORIA:</p> <p>13 Q My name is Misha Itchhaporia. I represent 14 the individual Chicago police officers, as I 15 mentioned earlier, and I do have some follow-up 16 questions for you.</p> <p>17 I might be bouncing around a little bit, 18 so if you can just bear with me, okay?</p> <p>19 A Okay.</p> <p>20 Q Do you have any medical conditions or are 21 you taking any medications that would affect your 22 ability to (inaudible) today?</p> <p>23 A You broke up a little bit --</p> <p>24 MR. COYNE: Yeah, I didn't hear the whole</p>

Transcript of Joanna Liotine-Leafblad

29 (113 to 116)

Conducted on July 7, 2022

	113		115
1 question.		1 involving Jovanie Long in November of 2003?	
2 BY MS. ITCHHAPORIA:		2 MR. COYNE: Objection --	
3 Q Okay. Sure.		3 MS. REED: Objection --	
4 Do you have any medical conditions, or are		4 MR. COYNE: Sorry. Objection, foundation.	
5 you on any prescription medication that would		5 MS. REED: Objection, foundation,	
6 affect your ability to testify truthfully today?		6 speculation, and form.	
7 A No.		7 BY THE WITNESS:	
8 Q Have you ever been diagnosed with any		8 A I believe that my memory would have been	
9 memory issues?		9 better at the time because it was closer to the	
10 A No.		10 event.	
11 Q Would you agree that your recollection		11 BY MS. ITCHHAPORIA:	
12 about your involvement in the Marek Majdak case		12 Q Okay. As of May 2000, you had about	
13 review was better in May of 2000 than it is today?		13 four-years-plus experience as an Assistant State's	
14 MS. REED: I'm going --		14 Attorney at the Cook County State's Attorney's	
15 MR. COYNE: Objection to --		15 Office; is that right?	
16 MS. REED: -- to -- I'm going to join the		16 A That's correct, yeah. Just about that	
17 objection for foundation, as well as speculation		17 much.	
18 and form.		18 Q And so in May of 2000, you had about five	
19 BY THE WITNESS:		19 to six months of experience as an ASA in the	
20 A Well, to the extent that anybody's memory		20 Felony Review Unit; is that right?	
21 is better closer to the time of an event, I would		21 A To the best of my recollection, yes.	
22 say that I imagine it would have been better		22 Q Okay. So is it accurate to say that prior	
23 22 years ago.		23 to May of 2000 -- at least the end of May of 2000,	
24 BY MS. ITCHHAPORIA:		24 that you had been told to conduct Felony Review of	
	114		116
1 Q Would you agree then that your memory was		1 murder charges in other cases?	
2 better about your involvement and interactions		2 A You know what --	
3 with Xavier Walker when you testified at the		3 MS. REED: Object --	
4 motion to quash hearing in October of 2001?		4 BY THE WITNESS:	
5 MR. COYNE: Same objection.		5 A -- part of your question --	
6 MS. REED: I'm going to object to		6 MR. COYNE: That question broke up.	
7 foundation, form, speculation.		7 MS. ITCHHAPORIA: Sure. Let me repeat	
8 BY THE WITNESS:		8 myself.	
9 A I guess I have the same answer. As it was		9 BY MS. ITCHHAPORIA:	
10 closer to the event in question, I imagine I would		10 Q Is it fair to say that you had been told	
11 have more specific recollection at that time.		11 to conduct felony review of murder charges in	
12 BY MS. ITCHHAPORIA:		12 other cases prior to May 29th, 2000?	
13 Q Right. October 2001 would have been about		13 MR. COYNE: I didn't catch the first part.	
14 a year and four or five months after you		14 If she had been what? Told to, did you say?	
15 interacted with Xavier Walker, right?		15 MS. REED: You broke out again.	
16 A Right.		16 BY THE WITNESS:	
17 MR. COYNE: Objection, foundation.		17 A Yeah, it does keep breaking up. I'm	
18 MS. REED: Objection --		18 sorry.	
19 BY MS. ITCHHAPORIA:		19 BY MS. ITCHHAPORIA:	
20 Q And would you --		20 Q All right. Let me try again. I'm sorry.	
21 MS. REED: -- foundation.		21 I'm hardwired in.	
22 BY MS. ITCHHAPORIA:		22 Is it fair to say that prior to May 29th,	
23 Q And would you agree that your memory was		23 2000, that you had conducted felony review in	
24 better when you testified at the pretrial hearing		24 other cases involving murder charges?	

Transcript of Joanna Liotine-Leafblad

30 (117 to 120)

Conducted on July 7, 2022

	117		119
1	MR. COYNE: Objection, form.	1	know when my first one was, so I can't -- I just
2	MS. REED: Same objection.	2	can't remember --
3	BY THE WITNESS:	3	BY MS. ITCHHAPORIA:
4	A To the best of my recollection, I don't	4	Q Okay. If -- sorry. If Xavier Walker was
5	know how many or anything like that as we sit here	5	the first videotaped statement confession that you
6	today.	6	had been involved in, is that something that you
7	BY MS. ITCHHAPORIA:	7	would remember, that it was your first?
8	Q Okay. But do you know that you had	8	MS. REED: I'm going to object to --
9	approved felony murder charges in other cases	9	MR. COYNE: (Indiscernible.)
10	before May 29, 2000?	10	MS. REED: I'm going to join Counsel's
11	MS. REED: I'm going to object to form, as	11	objection for foundation and speculation, as well
12	well as lack of foundation.	12	as form, as well as asked and answered.
13	BY THE WITNESS:	13	(Reporter clarification.)
14	A Again, to the best of my recollection, I	14	MR. COYNE: I said objection, foundation,
15	did work on other murder cases prior to that one.	15	speculation.
16	BY MS. ITCHHAPORIA:	16	BY THE WITNESS:
17	Q Okay. So Xavier Walker's case was not the	17	A Okay. It's quite possible that that was
18	first murder case that you had worked on?	18	not my first one, but I just don't know -- I just
19	A I don't believe it was.	19	don't remember. So I don't know -- so I can't
20	Q Okay. And prior to May 28th, 2000, you	20	tell you one way or another. I apologize.
21	had taken handwritten statements from witnesses in		BY MS. ITCHHAPORIA:
22	other cases, correct?	22	Q Is it accurate to say that back in May
23	MS. REED: Objection to form.	23	23 of 2000, that the Felony Review Unit was divided
24		24	24 into four teams that worked seven days a week?
	118		120
1	BY THE WITNESS:	1	A To the best of my recollection, yes.
2	A I believe so.	2	Q And then there were shifts that were three
3	BY MS. ITCHHAPORIA:	3	days on and three days off; is that right?
4	Q And prior to May 29th, 2000, you had taken	4	A Yes, we work three days on, three days
5	videotaped statements from suspects?	5	off.
6	MS. REED: I'm going to object to form.	6	Q And the shifts were 12 hours long?
7	BY THE WITNESS:	7	A Yes.
8	A I think so. Again, it's been -- I don't	8	Q Do you recall what the start and end time
9	remember how many cases I did prior to that,	9	was of the shift that you were working in May
10	so -- you know, murders or whatever, so I can't	10	10 of -- let's say May 28, 2000?
11	speak to how many videos I had been involved with	11	A No.
12	prior to that, you know, if any. But I know that	12	Q Who were the other -- we just discussed
13	that wasn't the only one that I would have been	13	13 it. There were four teams. Who were the other
14	involved with during the time that I was on Felony	14	14 ASAs that were on your team when you were in
15	Review.	15	15 Felony Review in May of 2000?
16	BY MS. ITCHHAPORIA:	16	A I'm sorry, I don't remember that.
17	Q Is it fair and accurate to say that Xavier	17	Q Okay. Do you recall who your supervisor
18	Walker was not the first videotaped confession	18	18 was when you were in Felony Review in May of 2000?
19	that you had been involved in?	19	A No.
20	MR. COYNE: Objection, foundation.	20	Q Do you know an ASA by the name of
21	MS. REED: Same objection, as well as	21	21 (inaudible) Mahoney?
22	form.	22	A Of what? You broke up again. What was
23	BY THE WITNESS:	23	the name?
24	A I can say it wasn't the only one. I don't	24	Q Thomas Mahoney.

Transcript of Joanna Liotine-Leafblad

31 (121 to 124)

Conducted on July 7, 2022

<p style="text-align: right;">121</p> <p>1 A Did I know an ASA named Thomas Mahoney?</p> <p>2 Yeah -- yes, I did.</p> <p>3 Q In May of 2000, was Thomas Mahoney your 4 supervisor when you were on Felony Review?</p> <p>5 MS. REED: I'm going to object to lack of 6 foundation.</p> <p>7 BY THE WITNESS:</p> <p>8 A I don't remember.</p> <p>9 BY MS. ITCHHAPORIA:</p> <p>10 Q Okay --</p> <p>11 A I don't remember if he was my trial sup at 12 that time.</p> <p>13 Q How many trial supervisors would be 14 assigned as a supervisor on a Felony Review team 15 back in May of 2000?</p> <p>16 A I don't remember how it was done at the 17 time. I know that we had at least one. There 18 might have been two, but I don't know. You know, 19 I don't remember how -- if that was for every 20 team. I just don't remember.</p> <p>21 Q In May of 2000, how many ASAs were on your 22 team?</p> <p>23 A I don't remember how many ASAs were on my 24 team.</p>	<p style="text-align: right;">123</p> <p>1 BY THE WITNESS:</p> <p>2 A I just don't remember that case at all, so</p> <p>3 I don't remember who I talked to at the time.</p> <p>4 BY MS. ITCHHAPORIA:</p> <p>5 QOkay. Same question as to ASA Thomas 6 Mahoney. Did you at any point in time have a 7 conversation with Thomas Mahoney about Xavier 8 Walker's criminal case?</p> <p>9 MS. REED: I'm going to object to lack of 10 foundation and calls for speculation.</p> <p>11 BY THE WITNESS:</p> <p>12 A I don't remember if he was -- if they 13 were -- you know, if people were on my team, if 14 they were my trial sups, I may have, but I 15 honestly don't remember who was on my team at the 16 time or who my trial sup was.</p> <p>17 BY MS. ITCHHAPORIA:</p> <p>18 QOkay. Going back to Jim Navarre, did you 19 ever have a conversation or any communications 20 with Jim Navarre about Jovanie Long's criminal 21 case?</p> <p>22 MS. REED: I'm going to object to lack of 23 foundation and speculation.</p> <p>24</p>
<p style="text-align: right;">122</p> <p>1 Q Would the trial supervisor that was on 2 your team also be on the same shift as you?</p> <p>3 A The trial supervisor for my team 4 specifically? I believe, yes, we would be on the 5 shift together.</p> <p>6 Q Do you know an ASA by the name of Jim 7 Navarre, N-a-v-a-r-r-e?</p> <p>8 A Yes.</p> <p>9 Q And was he on the same Felony Review team 10 that you were in -- that you were in in May 11 of 2000?</p> <p>12 A I don't --</p> <p>13 MS. REED: I'm going to object to lack of 14 foundation.</p> <p>15 BY THE WITNESS:</p> <p>16 A I don't remember --</p> <p>17 BY MS. ITCHHAPORIA:</p> <p>18 Q Did you -- okay. I'm sorry.</p> <p>19 A I don't remember if he was on my team.</p> <p>20 Q Did you, at any point in time, have a 21 conversation or communications with ASA Jim 22 Navarre about Xavier Walker's criminal case?</p> <p>23 MS. REED: I'm going to object to lack of 24 foundation, calls for speculation.</p>	<p style="text-align: right;">124</p> <p>1 BY THE WITNESS:</p> <p>2 A I don't remember talking to him about the 3 case.</p> <p>4 BY MS. ITCHHAPORIA:</p> <p>5 Q Okay. Did you become aware at any point 6 in time after you took the videotaped statement of 7 Xavier Walker that Jovanie Long had also 8 confessed?</p> <p>9 MS. REED: I'm going to object --</p> <p>10 MR. COYNE: Objection --</p> <p>11 MS. REED: -- lack of --</p> <p>12 MR. COYNE: -- form.</p> <p>13 MS. REED: I'm going to object to lack of 14 foundation, speculation, and form.</p> <p>15 BY THE WITNESS:</p> <p>16 A I'm sorry, I don't even -- I don't 17 understand the question.</p> <p>18 BY MS. ITCHHAPORIA:</p> <p>19 Q Sure. Did you learn at any point in time 20 after you took Xavier Walker's videotaped 21 statement that his co-defendant, Jovanie Long, had 22 also given a videotaped statement confessing to 23 his (inaudible) same murder as Xavier Walker?</p> <p>24 (Simultaneous objections.)</p>

Transcript of Joanna Liotine-Leafblad

32 (125 to 128)

Conducted on July 7, 2022

	125		127
1	MR. COYNE: There was a cutout there. Two	1	foundation and speculation and form.
2	of the words I didn't hear.	2	BY THE WITNESS:
3	(Reporter admonition.)	3	A On occasion I would. Not with every case.
4	MR. COYNE: For the record, my objection	4	BY MS. ITCHHAPORIA:
5	is based on foundation.	5	Q And what would be the occasions when you
6	MS. REED: And I also objected to	6	would consult with your trial supervisor when you
7	foundation, form, and speculation.	7	were on Felony Review?
8	MS. ITCHHAPORIA: Maybe this might help:	8	A When I had a -- if I had some kind of a
9	Ms. Reed and John, I'm happy to agree that one	9	question or, you know, it would be if I had a
10	objection lodged by one party is an objection for	10	question about something. Or if for some reason I
11	all. That may cut down some of the back and	11	was supposed to check in about something. So I
12	forth.	12	don't have any -- I don't remember specifically
13	MR. COYNE: Fair enough. That works.	13	what kind of conversations or when I would have
14	MS. ITCHHAPORIA: Okay. And I'll try to	14	called my trial super.
15	slow down, Michelle, and I am going to try to	15	Q Back in May of 2000, would you need your
16	rephrase that question or repeat it to the best of	16	trial supervisor's approval if you were going to
17	my ability to recall.	17	approve felony murder charges against a suspect?
18	MR. COYNE: Misha, let me just chime in	18	A I don't remember. I don't remember those
19	there.	19	protocols.
20	Sierra, since you're typically objecting	20	Q Okay. Did you, in the case of Xavier
21	on more grounds than I am and Counsel has accepted	21	Walker, consult or speak to your trial supervisor
22	an objection from one of us is an objection from	22	before you approved felony murder charges?
23	all, it would probably be most productive if I	23	MS. REED: I'm going to object to lack of
24	just let you object.	24	foundation.
	126		128
1	MS. REED: If you would like. But feel	1	BY THE WITNESS:
2	free to step in if you think there's an objection	2	A I don't remember.
3	I missed.	3	BY MS. ITCHHAPORIA:
4	MR. COYNE: Fair enough. All right.	4	Q You mentioned protocols. Were there
5	Thanks.	5	protocols that you were trained on prior to you
6	BY MS. ITCHHAPORIA:	6	going out and doing your own Felony Review back in
7	Q The question was, at any point in time	7	2000?
8	after you were involved in the videotaped	8	A No.
9	confession of Xavier Walker, did you learn that	9	Q Back in, you said -- I think you joined
10	Xavier Walker's criminal co-defendant, Jovanie	10	the Felony Review Unit in December of 1999. Was
11	Long, had also given a videotaped statement	11	there training that you received as a Felony
12	confessing to his involvement in the same murder	12	Review ASA?
13	as Xavier Walker?	13	A Not that I recall. Again, it was a long
14	MS. REED: I'm going to object to	14	time -- I apologize. It was a long time ago, and
15	foundation, speculation, and form.	15	I don't really -- I don't remember.
16	BY THE WITNESS:	16	Q Before you -- when you joined the unit
17	A I'm sorry, I just don't remember, so I	17	in -- the Felony Review Unit in December of 1999,
18	don't remember if I -- if I would have known. I	18	was there any on-the-job training where you would
19	mean, I can make assumptions, but I can't tell you	19	have to go with other Felony Review ASAs and
20	for certain at this point.	20	observe what they're doing?
21	BY MS. ITCHHAPORIA:	21	A I believe so.
22	Q When you were on Felony Review, would you	22	Q Do you know how many times you observed
23	consult with your trial supervisor?	23	another Felony Review ASA review a case before you
24	MS. REED: I'm going to object to lack of	24	went on your own?

Transcript of Joanna Liotine-Leafblad

33 (129 to 132)

Conducted on July 7, 2022

	129		131
1 A I don't remember, no.		1 I don't remember.	
2 Q Back in May of 2000, how would you get an		2 Q Would the dispatcher tell you which	
3 assignment when you were on Felony Review?		3 location that you had to go if it was a detective	
4 A Typically we'd get a call from our Felony		4 area?	
5 Review dispatcher telling us that there was a case		5 MS. REED: I'm going to object to lack of	
6 we needed to go to.		6 foundation and speculation.	
7 Q And so the dispatcher would call where		7 BY THE WITNESS:	
8 back in May of 2000?		8 A Well, sometimes we went to police	
9 A Well, sometimes we were all in the		9 districts, sometimes we went to hospitals. So if	
10 building together, so they would just say to us to		10 we were supposed to go somewhere, we would be told	
11 go somewhere. But other times, if we went there,		11 where to go.	
12 they would call; you'd have a pager, we'd get		12 BY MS. ITCHHAPORIA:	
13 paged.		13 Q So you're told where to go. Would you	
14 Q And where -- back in May of 2000, where		14 also be told what type of charges were being	
15 would you have to report to as a Felony Review		15 sought?	
16 ASA?		16 MS. REED: I'm going to object to lack of	
17 A I believe it was to 26th Street, to our		17 foundation.	
18 office where the Felony Review Unit is located --		18 BY THE WITNESS:	
19 Q And so --		19 A I think so, but I don't really remember.	
20 A -- in Chicago.		20 I think so. You know, if there was a dead body,	
21 Q So typically if a dispatcher would call		21 we would be certainly told that there was a dead	
22 the Felony Review office located at 26th Street to		22 body, you know.	
23 let you know that you were needed to go to a		23 BY MS. ITCHHAPORIA:	
24 detective area or another location to review?		24 Q And would you be told who the detectives	
	130		132
1 A Well, no, the -- the dispatcher was at		1 were that were working on the case?	
2 26th Street. We had pagers, so we'd get paged.		2 A I don't recall. Again, I feel like I'm	
3 You know, we'd get a beep, you know, when we had		3 going to be guessing because I just really don't	
4 to call.		4 remember. It makes sense that we would be told	
5 Q Let me --		5 who to talk to, but I can't tell you that I --	
6 A We'd call the office back and find out		6 that specifically that's how it was every time.	
7 what was going on if we were not in the office		7 BY MS. ITCHHAPORIA:	
8 already.		8 Q Let me see if I can ask that in another	
9 Q Got it. Okay. So when you're on Felony		9 way. When you got to the area because you'd been	
10 Review back in May of 2000, were you actually		10 called there to do a review, how would you know	
11 required to be in the office, or could you be at		11 which detective to talk to?	
12 home and then get paged in when you were on shift?		12 MS. REED: I'm going to object to lack of	
13 A We could not be home, I remember that.		13 foundation.	
14 But, I mean, I don't know, we could have been		14 BY THE WITNESS:	
15 finishing another case when we get called. I		15 A I don't remember. I mean, it would be	
16 mean, there's a -- you know, so I have no other --		16 different each time. You know, it depends on what	
17 I don't know, you know -- that's it. I don't know		17 the circumstances were and what else was going on	
18 how else to comment on that. Sorry.		18 at that particular location at any given time.	
19 Q And then if you were either paged or if		19 So I don't really remember specifically.	
20 you were in the office when the dispatcher calls,		20 BY MS. ITCHHAPORIA:	
21 typically what kind of information would the		21 Q Back in May of 2000, did you have a	
22 dispatcher provide you?		22 practice as to what type of equipment that you	
23 A I don't remember specifically, but I think		23 brought with you when you were going to do a	
24 that, you know, maybe -- I don't remember. I		24 review of murder charges at a detective division?	

Transcript of Joanna Liotine-Leafblad

34 (133 to 136)

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	133		135
1	MS. REED: I'm going to object to form.	1	A It's just a -- it was a way to write down
2	BY THE WITNESS:	2	just, you know, the names of the parties or the
3	A Well, I could tell you, we didn't really	3	detectives, just to make sure we knew -- just so
4	carry any equipment. I mean, I had -- I made sure	4	that we had -- it was kind of a -- I don't know.
5	I had my pager and a pen. I mean, I really	5	It contained general information about, you know,
6	didn't -- you know, maybe some paper. I don't	6	the case we were working on.
7	think we had -- I don't recall having any kind of	7	Q And when you're saying Felony Review
8	specific equipment.	8	folder, can you describe what the folder looked
9	BY MS. ITCHHAPORIA:	9	like?
10	Q Would you bring blank handwritten forms	10	A At the time? It was just kind of a card
11	11 with you so that you could write down a witness's	11	stock folded in half. And it had -- I don't know.
12	12 statement?	12	I mean, I can't really describe it. I'm sorry.
13	MS. REED: I'm going to object to	13	MR. COYNE: Did you say card stock?
14	speculation and lack of foundation.	14	THE WITNESS: Card stock paper, like it
15	BY THE WITNESS:	15	was a heavier paper on the outside, and then there
16	A I don't think that's something that was	16	16 was, like, thinner paper on the inside that we
17	done every single time. I don't recall -- I don't	17	17 wrote on. But I don't -- I'm sorry, that's all I
18	recall how we did that.	18	18 have.
19	Q Was it your practice when you were in	19	MR. COYNE: I was just wondering what word
20	Felony Review back in May of 2000 to bring the	20	20 you used.
21	Felony Review blueback with you?	21	BY MS. ITCHHAPORIA:
22	MS. REED: I'm going to object to form as	22	Q Would you fill out the card stock portion
23	23 well as lack of foundation and speculation.	23	23 of the Felony Review folder before you went to the
24		24	24 detective area to conduct a review?
	134		136
1	BY THE WITNESS:	1	MS. REED: I'm going to object to lack of
2	A I would say that there's a Felony Review	2	foundation and form.
3	folder, and I would say we had to bring that.	3	BY THE WITNESS:
4	But, again, I don't -- I guess to me personally, I	4	A I don't recall that. I don't remember.
5	tend to like to be more prepared than not, so I	5	Because, again, every case -- each scenario and
6	probably had some folders with me so that I would	6	each set of facts and each circumstance, you know,
7	not have to -- not run out of them.	7	they weren't all the same. So I don't recall.
8	But I don't know that there was any	8	BY MS. ADEEYO:
9	specific requirement or I don't recall any kind of	9	Q Was it your practice to always, when
10	established practice.	10	10 you're conducting a review, to fill out some
11	BY MS. ITCHHAPORIA:	11	11 portion of the Felony Review folder?
12	Q Was it your practice back in May of 2000	12	MS. REED: I'm going to object to
13	13 to bring consent to have a videotaped statement, a	13	13 foundation -- lack of foundation and form.
14	14 blank -- blank consent forms with you when you	14	BY THE WITNESS:
15	15 were going to do Felony Review?	15	A Could you repeat the question, please.
16	MS. REED: I'm going to object to form,	16	BY MS. ITCHHAPORIA:
17	speculation, and hearsay -- sorry, not hearsay --	17	Q Was it your practice when you were a
18	18 lack of foundation.	18	18 Felony Review ASA to fill out some portion of the
19	BY THE WITNESS:	19	19 Felony Review folder?
20	A I don't remember if I made that my	20	MS. REED: Same objections.
21	practice. I don't remember.	21	BY THE WITNESS:
22	BY MS. ITCHHAPORIA:	22	A Well, I would -- I think it's fair to say
23	Q Okay. And you mentioned a Felony Review	23	that, you know, I would fill out a portion of it
24	24 folder. What is a Felony Review folder?	24	depending upon what the information available was.

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35 (137 to 140)

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	137		139
1 BY MS. ITCHHAPORIA:		1 BY THE WITNESS:	
2 Q And --		2 A I mean, I am concerned about speculating	
3 A It wasn't -- you know, we had the police		3 here, but I can say that, in general, if I was	
4 reports to work with, so, you know, those were		4 sitting and talking to somebody who was a witness	
5 what we relied on -- or what we would refer to to		5 or whoever I was talking to, I would not take	
6 see first.		6 notes during the conversation.	
7 Q You said there was some paper -- thin		7 BY MS. ITCHHAPORIA:	
8 paper inside the Felony Review folder that you		8 Q Okay.	
9 would write things down on; is that right?		9 A That, I recall.	
10 A Yes.		10 Q So if you did take notes, it would be	
11 Q What would you write on the thin paper?		11 after the interview was over?	
12 MS. REED: I'm going to object to lack of		12 MS. REED: Same objections.	
13 foundation, form, speculation, and incomplete		13 BY THE WITNESS:	
14 hypothetical.		14 A I don't remember, and -- I don't remember.	
15 BY THE WITNESS:		15 That's an extremely general question, so it's just	
16 A Again, if there was something -- if there		16 too speculative for me to answer.	
17 was a piece of information that was applicable in		17 BY MS. ITCHHAPORIA:	
18 one way or another to write down, then we would		18 Q Okay. So is it accurate then to say, as	
19 write it.		19 far as your notetaking practice when you were a	
20 But, you know, again, in general -- it's		20 Felony Review ASA, sort of, you didn't really have	
21 very hard to speak generally. I mean, you know,		21 a practice, it was on a case-by-case basis?	
22 these aren't cookie cutter cases. They're all		22 A I guess that's reasonable to assume, but I	
23 different. There's different facts, different		23 don't -- again, I don't have a specific	
24 people, different circumstances.		24 recollection of making a choice of how I was going	
	138		140
1 BY MS. ITCHHAPORIA:		1 to do things, you know, one situation to another.	
2 Q Before you became a Felony Review ASA or		2 BY MS. ITCHHAPORIA:	
3 right when you started, were you trained on how to		3 Q Okay. If you did back in May of 2000 fill	
4 fill out a Felony Review folder?		4 out portions of the Felony Review folder or the	
5 A No, I don't recall being trained.		5 thin papers, would you do that for witnesses and	
6 Q So it's possible that you were and you		6 suspects or just witnesses or just suspects?	
7 just don't remember?		7 MS. REED: I'm going to object to form and	
8 A Yes. Yeah, I don't remember.		8 lack of foundation, as well as speculation.	
9 Q Okay.		9 BY THE WITNESS:	
10 A So I don't want to speculate to whether it		10 A Again, I don't have a specific	
11 was possible or not. I don't remember.		11 recollection of my time there. And there were --	
12 Q Would you -- when you're interviewing a		12 I was there -- I can't answer the question without	
13 witness or a suspect, would you sometimes take		13 guessing.	
14 notes during your interview on the -- either on		14 BY MS. ITCHHAPORIA:	
15 the Felony Review folder or in the -- or on the		15 Q Okay. Back in May of 2000 when you were a	
16 thin paper that was inside the folder?		16 Felony Review ASA, is it accurate to say that as	
17 A I don't remember.		17 the ASA that was assigned to conduct a review, you	
18 Q Okay. Back in May of 2000 when you were		18 would be making a decision whether or not to	
19 Felony Review ASA, did you have a practice as far		19 prosecute a person for murder charges?	
20 as taking notes when you were conducting Felony		20 MR. COYNE: Objection, foundation.	
21 Review?		21 BY THE WITNESS:	
22 MS. REED: I'm going to object to form as		22 A I don't recall making that decision.	
23 well as lack of foundation, speculation.		23 BY MS. ITCHHAPORIA:	
24		24 Q When you were a Felony Review ASA, you	

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36 (141 to 144)

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	141		143
1 did, in fact, approve murder charges against 2 people; is that right?		1 speculative because I haven't been on Felony 2 Review in 22 years. So I'm not going to make any 3 guesses or anything as to exactly what their job 4 is.	
3 A I would not say I was the final word. I 4 don't recall specifically. I can say I wasn't the 5 final word. I don't think that I was the final 6 word. That's my -- I don't recall anything more 7 specific than that.		5 Q Understanding that it's speculation on 6 your part, what is your speculation about what a 7 Felony Review ASA's function is today at the Cook 8 County State's Attorney's Office?	
8 BY MS. ITCHHAPORIA:		9 A Well, their job is to -- they go out and 10 review matters with police. They'll read the 11 reports, they'll talk to witnesses, and they will, 12 you know -- ultimately they end up acting as 13 witnesses in cases if they go to trial. So just 14 like the police do.	
9 Q When you're saying you're not the final 10 word, what do you mean?		15 MS. REED: I just want to say for the 16 record, I'm going to join John in his standing 17 objections.	
11 A I just -- I really don't recall, so I'm 12 trying to answer you, but I don't have a specific 13 recollection. And I don't know how to answer you 14 without guessing or speculating. I don't want to 15 guess or speculate. So I don't recall.		18 MS. ITCHHAPORIA: Sure.	
16 Q Well, let me ask you this: Was one of 17 your functions as a Felony Review ASA back in 2000 18 to decide whether or not to approve or reject 19 charges against a person?		19 BY MS. ITCHHAPORIA:	
20 MS. REED: I'm going to object -- I'm 21 going to join the objection for foundation as well 22 as asked and answered.		20 Q Back in 2000 when you were a Felony Review 21 ASA, there was an Illinois statute that required 22 the police to have a case where there were felony 23 charges being sought, to have that case reviewed 24 by prosecutors; is that right?	
23 BY THE WITNESS:			
24 A Just as I said before, I don't know how to	142		144
1 answer that question without guessing or 2 speculating, and so I don't recall that I was in 3 any way the person to make that decision one way 4 or another.		1 A I'm sorry, I don't remember that. If I 2 could review the statute and I can talk to you 3 about it, but, I apologize, I don't remember that 4 right off the top of my head.	
5 BY MS. ITCHHAPORIA:		5 BY MS. ITCHHAPORIA:	
6 Q Okay. Then what was the function of a 7 Felony Review ASA as far as you understood back in 8 May of 2000?		6 Q Okay. Back in May of 2000 when you were a 7 Felony Review ASA and you were called when the 8 police were seeking charges, murder charges, you 9 had the option to approve charges; is that right?	
9 MR. COYNE: Let me just --		10 MS. REED: I'm going to also object to 11 asked and answered.	
10 BY THE WITNESS:		12 BY THE WITNESS:	
11 A I don't remember.		13 A Well, I did answer the question, and I'm 14 going to -- my answer hasn't changed from when you 15 asked me before. I don't have a -- I don't recall 16 being the only one who could make that choice. So 17 I don't recall -- again, I just don't recall being 18 the only one who could make that decision.	
12 MR. COYNE: Hang on one second.		19 BY MS. ITCHHAPORIA:	
13 In order so that I don't interrupt the 14 record, let me just make a continuing line of 15 objections as to foundation and speculation as to 16 any questions pertaining to this witness in 2000. 17 That way I won't have to keep interrupting.		20 Q And I get that you're saying that -- is 21 what you're saying that the Felony Review would be 22 one person within the chain of command who would 23 decide whether or not to approve murder charges?	
18 Thank you.		24 MS. REED: I'm going to object to form as	
19 MS. ITCHHAPORIA: Sure.			
20 BY MS. ITCHHAPORIA:			
21 Q As you sit here today -- I know you're 22 currently an ASA -- do you have any idea of what 23 the function is of a Felony Review ASA?			
24 A I have an idea, but that's, again,			

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37 (145 to 148)

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1 well as mischaracterizes prior testimony. 2 BY THE WITNESS: 3 A I'm going to say that I don't remember -- 4 I don't remember. I mean, again, I don't want to 5 guess or speculate and give you an answer based on 6 an assumption that I'm making today. I just don't 7 remember. 8 BY MS. ITCHHAPORIA: 9 Q Were you aware back in May of 2000 that 10 murder charges that were being sought by the 11 police had to be approved by the Cook County 12 State's Attorney's Office? 13 A I don't remember what I was aware of back 14 in May of 2000. 15 Q Back in May of 2000, you had the option 16 also to reject murder charges when you were doing 17 a Felony Review, correct? 18 MS. REED: I'm going to also object to 19 asked and answered. 20 BY THE WITNESS: 21 A I don't recall what I knew back in May 22 of 2000. 23 BY MS. ITCHHAPORIA: 24 Q Okay. Back in May of 2000 when you were	145 1 police officers don't prosecute cases? 2 A Well, I think we know that police -- 3 police don't prosecute cases, that's correct. 4 Q Back in May of 2000, you also had the 5 option to continue a case for further 6 investigation if it appeared that there was a 7 basis for felony charges but additional 8 information or evidence needed to be collected, 9 correct? 10 MS. REED: I'm going to object to the form 11 of the question as well as compound and asked and 12 answered, and then of course the continuing 13 objections. 14 BY MS. ITCHHAPORIA: 15 Q To address the form objection, let me 16 break that up. So strike the first question. 17 You could, back in May of 2000, when you 18 were in Felony Review, you could continue a case 19 for further investigation if it appeared that 20 there was a basis for felony charges if additional 21 information needed to be collected? 22 MS. REED: Same objections. 23 BY THE WITNESS: 24 A I don't recall what I knew back in May	147 146 148
1 in the Felony Review Unit, you could reject murder 2 charges if you thought the information didn't 3 present the -- did not satisfy the statutory 4 requirements for a murder charge; is that right? 5 MS. REED: I'm going to object to asked 6 and answered. 7 BY THE WITNESS: 8 A I don't recall what I knew back in May 9 of 2000. 10 BY MS. ITCHHAPORIA: 11 Q Back in May of 2000 when you were a Felony 12 Review ASA, you could reject murder charges if you 13 thought there was an evidentiary problem that 14 would make proceeding and prosecuting the case 15 impossible, correct? 16 MS. REED: Same objection. 17 BY THE WITNESS: 18 A I don't recall what I knew in May of 2000. 19 And, again, I don't want to assume. I don't want 20 to speculate. I just don't recall what I 21 remember -- I don't recall what I knew in May 22 of 2000. 23 BY MS. ITCHHAPORIA: 24 Q Were you aware back in May of 2000 that	1 of 2000. 2 BY MS. ITCHHAPORIA: 3 Q Back in May of 2000 when you were in 4 Felony Review Unit and you are a Felony Review 5 ASA, you could continue a case for further 6 investigation if it appeared to you that further 7 evidence needed to be collected? 8 MS. REED: Same objections. 9 BY THE WITNESS: 10 A I think you just asked me -- I think I 11 just answered that question. I don't recall what 12 I knew back in May of 2000. 13 BY MS. ITCHHAPORIA: 14 Q As it relates to Xavier Walker, you 15 approved murder charges against him in May 29th, 16 2000; is that right? 17 A I don't have -- I've been saying today I 18 don't have a specific recollection of that day. 19 It's clear from these records that we're talking 20 about that murder charges were filed against him. 21 I don't have a specific recollection of how things 22 were done or what was done. 23 Q Do you have any reason to dispute that you 24 were the Felony Review ASA that approved murder	

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38 (149 to 152)

<p>1 charges against Xavier Walker back in May of 2000?</p> <p>2 A I don't have anything that would support</p> <p>3 it or not support it right now.</p> <p>4 Q Okay. Well, I guess my question was a</p> <p>5 little different, though.</p> <p>6 Do you have any reason to dispute that you</p> <p>7 were the ASA in the Felony Review Unit that</p> <p>8 approved murder charges against Xavier Walker back</p> <p>9 in May of 2000?</p> <p>10 MS. REED: I'm going to object to asked</p> <p>11 and answered.</p> <p>12 BY THE WITNESS:</p> <p>13 A I have no reason to dispute that I worked</p> <p>14 on that case.</p> <p>15 BY MS. ITCHHAPORIA:</p> <p>16 Q Okay. My question is a little bit</p> <p>17 different, and you're not answering it. It's not</p> <p>18 about working on the case. I'm asking about if</p> <p>19 you were the Felony Review ASA that approved</p> <p>20 murder charges against Xavier Walker back in May</p> <p>21 of 2000.</p> <p>22 MR. COYNE: Objection, asked and answered</p> <p>23 more than once.</p> <p>24 MS. ITCHHAPORIA: Respectfully, I don't</p>	<p>149</p> <p>1 second exhibit (indiscernible).</p> <p>2 (Reporter clarification.)</p> <p>3 MS. ITCHHAPORIA: It will be 5.</p> <p>4 (WHEREUPON, Leafblad Exhibit No. 5 was</p> <p>5 presented to the witness.)</p> <p>6 BY MS. ITCHHAPORIA:</p> <p>7 Q I'm going to show you what we'll mark as 5</p> <p>8 to your deposition, which, for the record, is</p> <p>9 Bates-marked BS000431 through 432.</p> <p>10 And do you see at the top that this is the</p> <p>11 arrest report of Xavier Walker?</p> <p>12 A Yes.</p> <p>13 Q And the arrest date is May 29th, 2000; do</p> <p>14 you see that right here where the cursor is?</p> <p>15 A I do see that, yes.</p> <p>16 Q And then it says "Name of Felony Review"</p> <p>17 right here in Box -- I think this is Box 38, it</p> <p>18 says "ASA Leafblad."</p> <p>19 Do you see that?</p> <p>20 A Yes.</p> <p>21 Q And it says "Charges Approved," and then</p> <p>22 there's two Xs in the "Yes" box; do you see that?</p> <p>23 A I do see that.</p> <p>24 Q Three Xs actually in the "Yes" box.</p>
<p>150</p> <p>1 think it's been answered.</p> <p>2 MR. COYNE: It has, and the record will</p> <p>3 speak for itself.</p> <p>4 BY THE WITNESS:</p> <p>5 A I know that I worked on the case. I don't</p> <p>6 remember anything specific about it, so I can't --</p> <p>7 the only record I have seen recently are the ones</p> <p>8 we have discussed today. So I don't remember, to</p> <p>9 answer your question. I just...</p> <p>10 BY MS. ITCHHAPORIA:</p> <p>11 Q Back in May 2000, would there be any</p> <p>12 record or documentation that you would complete</p> <p>13 that would indicate if you approved murder charges</p> <p>14 against a suspect?</p> <p>15 A I don't think there would be anything</p> <p>16 outside of the record.</p> <p>17 Q When you're saying the record, what do you</p> <p>18 mean?</p> <p>19 A Whatever court record exists.</p> <p>20 Q Okay. So it's not something that you</p> <p>21 would document, let's say, on the Felony Review</p> <p>22 folder?</p> <p>23 A I don't remember what I did back in 2000.</p> <p>24 Q I'll show you what we'll mark as -- just a</p>	<p>152</p> <p>1 And then it says "Time," and it's got</p> <p>2 15 hours here, which is 12:15 regular time, right?</p> <p>3 Do you see that?</p> <p>4 A I do, yes.</p> <p>5 Q Does this -- looking at this document,</p> <p>6 does this refresh your recollection that you were</p> <p>7 the Felony Review ASA that reviewed and approved</p> <p>8 charges of murder against Xavier Walker back in</p> <p>9 May of 2000?</p> <p>10 A As I said, this is an arrest report. It</p> <p>11 says I worked on the case, and I have no -- I have</p> <p>12 no dispute that I worked on the case. The arrest</p> <p>13 report says that the charges were approved by ASA</p> <p>14 Leafblad, and I don't dispute that either.</p> <p>15 Q Okay. Back in May of 2000 when you were</p> <p>16 in Felony Review, the Cook County State's</p> <p>17 Attorney's Office employed investigators; is that</p> <p>18 right?</p> <p>19 A Back in 2000 investigators I believe -- I</p> <p>20 believe the office employed investigators. I</p> <p>21 certainly didn't have anything to do with that,</p> <p>22 with the hiring or creating of an investigative</p> <p>23 division.</p> <p>24 Q In May of 2000 when you were on Felony</p>

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<p>153</p> <p>1 Review review if you thought a case 2 (indiscernible), you could have asked an 3 investigator that was employed by the Cook County 4 State's Attorney's Office to do further 5 investigation; is that right?</p> <p>6 MR. COYNE: Sorry, but you broke there. I 7 didn't hear the third or fourth word.</p> <p>8 MS. ITCHHAPORIA: Okay. Sure. I'll 9 repeat that.</p> <p>10 BY MS. ITCHHAPORIA:</p> <p>11 Q I said back in May of 2000 when you were a 12 Felony Review ASA, if you thought that a case that 13 you were reviewing needed further investigation, 14 then you could have asked an investigator that was 15 employed by the Cook County State's Attorney's 16 Office to conduct further investigation.</p> <p>17 MS. REED: I'm going to object to 18 incomplete hypothetical, as well as form and the 19 continuing objections.</p> <p>20 BY THE WITNESS:</p> <p>21 A I'm sorry, I don't remember how the 22 practices or processes were back in 2000.</p> <p>23 BY MS. ITCHHAPORIA:</p> <p>24 Q Okay. In May of 2000 when you were in</p>	<p>155</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q We looked earlier at the statement of Mary 3 Curry; do you remember that?</p> <p>4 A I do.</p> <p>5 Q And it looks like you took a handwritten 6 statement from Mary Curry May 28, 2000, at 7 2:26 a.m.; do you remember that?</p> <p>8 MS. REED: I'm going to object to lack of 9 foundation.</p> <p>10 BY THE WITNESS:</p> <p>11 A No, I don't remember taking the statement.</p> <p>12 I know that I was questioned on it earlier and 13 that I saw it, but I don't remember being there 14 and taking it.</p> <p>15 BY MS. ITCHHAPORIA:</p> <p>16 Q Do you recall how you got the assignment 17 on May 28th, 2000, to take a statement from Mary 18 Curry?</p> <p>19 MS. REED: I'm going to object to lack of 20 foundation.</p> <p>21 BY THE WITNESS:</p> <p>22 A I do not remember.</p> <p>23 BY MS. ITCHHAPORIA:</p> <p>24 Q When you -- strike that.</p>
<p>154</p> <p>1 Felony Review, if you thought a case that you were 2 reviewing needed further investigation, you could 3 have also asked the Chicago police (indiscernible) 4 further investigation, right?</p> <p>5 MS. REED: Same objections. (Reporter clarification.) 7 (Technological issues were resolved off 8 the record.)</p> <p>9 BY MS. ITCHHAPORIA:</p> <p>10 Q In May 2000 when you were a Felony Review 11 ASA if you thought a case that you were reviewing 12 needed further investigation, then you also had 13 the option of asking the Chicago police officers 14 to conduct further investigation, correct?</p> <p>15 MS. REED: I'm going to object to 16 speculation, lack of foundation, form, incomplete 17 hypothetical.</p> <p>18 BY THE WITNESS:</p> <p>19 A Again, I don't remember exactly what I 20 could do -- what I knew in 2000. It makes sense 21 that if additional investigation was required, 22 that we would have asked that of police, but I 23 don't have a -- I don't remember what I knew back 24 in 2000.</p>	<p>156</p> <p>1 When you went to take a statement from 2 Mary Curry on May 28, 2000, did you go to Area 4 3 Detective Division?</p> <p>4 MS. REED: I'm going to object to lack of 5 foundation.</p> <p>6 BY THE WITNESS:</p> <p>7 A I think so. I think that's the -- today 8 we were talking about two of them. One was at a 9 person's house, and one was at Area 4.</p> <p>10 BY MS. ITCHHAPORIA:</p> <p>11 Q I'll just show you to see if I can -- see 12 if it refreshes your recollection. The first 13 statement that you took was -- is this on the 14 screen yet?</p> <p>15 A No. (Exhibit shared.)</p> <p>17 BY MS. ITCHHAPORIA:</p> <p>18 Q The first statement that you took -- do 19 you see this now?</p> <p>20 A I do see it, yes.</p> <p>21 MS. ITCHHAPORIA: Showing the witness what 22 we previously marked as Exhibit 2 to the 23 deposition, which is the handwritten statement of 24 Mary Curry.</p>

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40 (157 to 160)

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	157		159
1 BY MS. ITCHHAPORIA:		1 It's evident from the handwritten statement that	
2 Q You see it was taken on May 28th, 2000, at		2 we've been looking at that she was a witness, but	
3 2:26 a.m. at Area 4?		3 I don't have a -- I don't recall what I knew back	
4 MS. REED: I'm going to object to lack of		4 in May of 2000.	
5 foundation and hearsay, as well as calls for		5 BY MS. ITCHHAPORIA:	
6 speculation.		6 Q When you were at the Area on May 28, 2000,	
7 BY THE WITNESS:		7 Area 4, taking the handwritten statement of Mary	
8 A The document you're showing me says that		8 Curry, were you aware of any other witnesses on	
9 it's the statement of Mary Curry, and I can see		9 the Marek Majdak homicide investigation that were	
10 that it says Area 4 roll call room on it.		10 also present at Area 4?	
11 BY MS. ITCHHAPORIA:		11 MS. REED: I'm going to object to form,	
12 Q Okay. Do you know what time you got to		12 compound, lack of foundation, calls for	
13 Area 4 on May 28th, 2000?		13 speculation, hearsay.	
14 A I don't.		14 BY THE WITNESS:	
15 Q Did you speak to any of the detectives		15 A I don't remember who would have been there	
16 involved in the case before you took the statement		16 and who wasn't there. I don't remember that --	
17 from Mary Curry on May 28, 2000?		17 the time. I don't remember it.	
18 MS. REED: Objection, lack of foundation.		18 BY MS. ITCHHAPORIA:	
19 BY THE WITNESS:		19 Q When you went to Area 4 on May 28, 2000,	
20 A I don't specifically remember what I did.		20 were you there in your -- you were there in your	
21 It's likely that I talked to police before I		21 capacity as a Felony Review ASA to see whether	
22 talked to the witness, but I don't recall		22 there was enough evidence to bring murder charges	
23 specifically that I did that or how I did it.		23 against Xavier Walker; is that right?	
24	158	24 MS. REED: I'm going to object to	160
1 BY MS. ITCHHAPORIA:		1 compound, form, lack of foundation.	
2 Q And I think you may have testified about		2 BY THE WITNESS:	
3 this earlier, but it was your practice to review		3 A Again, I can see from the documents we've	
4 reports. So is it accurate to say that before you		4 been discussing that we're talking about a murder	
5 took the statement of Mary Curry on May 28, 2000,		5 case. I don't remember -- I don't remember what I	
6 that you would have reviewed all available police		6 did or what I knew in May of 2000.	
7 reports?		7 BY MS. ITCHHAPORIA:	
8 MS. REED: I'm going to object to		8 Q Is it accurate, though, back in May	
9 mischaracterizes prior testimony, lack of		9 of 2000, before you were taking the statement,	
10 foundation, calls for speculation, and form.		10 that you would have known who the suspects were	
11 BY THE WITNESS:		11 that murder charges were being sought against?	
12 A In general, I would read the reports		12 MS. REED: I'm going to object to asked	
13 before talking to people. I don't remember		13 and answered, as well as calls for speculation,	
14 what -- I don't remember what I did in particular		14 lack of foundation.	
15 on these cases or on this day in this case.		15 BY THE WITNESS:	
16 BY MS. ITCHHAPORIA:		16 A I just don't remember what I knew back in	
17 Q Were you aware when you were taking the		17 May of 2000. I don't remember what I knew, what I	
18 statement from Mary Curry back on May 28, 2000,		18 was aware of, who was there, I don't remember	
19 that she was a witness?		19 that. So by looking at these documents, I can --	
20 MS. REED: I'm going to object to lack of		20 I don't dispute what's on the documents we've	
21 foundation.		21 discussed today.	
22 BY THE WITNESS:		22 BY MS. ITCHHAPORIA:	
23 A I don't recall what I knew or remember --		23 Q Would it have been your practice back in	
24 I don't recall what I knew back in May of 2000.		24 May of 2000 to make yourself familiar and aware of	

Transcript of Joanna Liotine-Leafblad

41 (161 to 164)

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	161
<p>1 who the person -- who the suspect was that murder 2 charges were being sought against? Is that 3 something that you would want to know in your 4 capacity as a Felony Review ASA back in May 5 of 2000?</p> <p>6 MS. REED: I'm going to object to form, 7 compound, confusing, lack of foundation, calls for 8 speculation.</p> <p>9 BY THE WITNESS:</p> <p>10 A Again, I don't remember what I knew or 11 what I was -- what I did back in 2000. And I 12 could guess or I could speculate. I could assume 13 I did things or didn't do things, but I can't -- I 14 don't know in relation to this case what I did or 15 what I didn't do. I don't know. I don't 16 remember.</p> <p>17 BY MS. ITCHHAPORIA:</p> <p>18 Q I understand that you have no recollection 19 of what you did on this case. I'm asking you, 20 though, now specifically about your practice back 21 in May of 2000.</p> <p>22 Would you want to know as a Felony Review 23 ASA back in May of 2000 who the suspect was that 24 charges were being sought against?</p>	163
<p>1 MS. REED: Same objections.</p> <p>2 BY MS. ITCHHAPORIA:</p> <p>3 Q Yeah, as far as your practice.</p> <p>4 MS. REED: I'm also going to object to 5 relevance at this point.</p> <p>6 BY THE WITNESS:</p> <p>7 A In general, I would want to know -- in 8 general, I would want to read the reports, talk to 9 the detectives, talk to the witnesses, see who was 10 being charged. In general, I would want to do 11 those things. That's all I can speak to.</p> <p>12 BY MS. ITCHHAPORIA:</p> <p>13 Q After you were -- after you took the 14 handwritten statement from Mary Curry, is it 15 accurate to say that you would have known for sure 16 at that time that the suspects that were being 17 sought for charges against were Jovanie Long and 18 Xavier Walker?</p> <p>19 MS. REED: I'm going to object to calls 20 for speculation, lack of foundation.</p> <p>21 BY THE WITNESS:</p> <p>22 A Again, you're asking me if it's reasonable 23 that I knew that? I suppose it is reasonable to 24 think that I would know that.</p>	164
	162
	164

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42 (165 to 168)

Conducted on July 7, 2022

	165		167
1	MR. COYNE: Object to --	1	BY MS. ITCHHAPORIA:
2	MS. REED: I'm going to object to --	2	Q It's accurate to say that first you
3	sorry, Counsel.	3	interview the person, and then after the
4	I'm going to join Counsel's objection for	4	interview, then that's when you would write the
5	form, as well as lack of foundation.	5	statement; is that correct?
6	BY THE WITNESS:	6	MS. REED: Same objections.
7	A I don't remember. I don't recall	7	BY THE WITNESS:
8	specifically.	8	A Again, in general, if a handwritten
9	BY MS. ITCHHAPORIA:	9	statement was going to be taken, I would have had
10	Q Okay. Looking at Exhibit 2, Mary Curry's	10	10 to talk to the person first.
11	statement, it says present for the statement was		11 BY MS. ITCHHAPORIA:
12	Detective Cruz.	12	Q And because you -- you would have to talk
13	Do you see that?	13	to the person first so you know what to put in the
14	A I do see that, yes.	14	14 statement, right?
15	Q Did you have any conversations or	15	MS. REED: Same objections.
16	interactions with Detective Cruz on May 28, 2000,	16	BY THE WITNESS:
17	about the murder investigation of Marek Majdak?	17	A In general, I would have to talk to the
18	MS. REED: I'm going to object to lack of	18	18 person first before I would know what to put in
19	foundation.	19	19 the statement.
20	BY THE WITNESS:	20	20 BY MS. ITCHHAPORIA:
21	A It's quite possible, but I just don't	21	Q Okay. As far as -- so it's accurate to
22	recall --	22	say then that you interviewed Mary Curry on
23	BY MS. ITCHHAPORIA:	23	23 May 28, 2000, before you drafted her handwritten
24	Q Okay. So --	24	24 statement?
	166		168
1	A -- I don't recall.	1	MS. REED: I'm going to object to lack of
2	Q It's accurate to say you don't recall the	2	foundation, calls for speculation, and form.
3	substance of any communication you had, if you had	3	BY THE WITNESS:
4	them, with any police officer on May 28, 2000,	4	A That is an assumption I suppose somebody
5	about the Marek Majdak investigation?	5	can make. I don't have a specific recollection of
6	MS. REED: I'm going to object as to the	6	6 that conversation.
7	extent it calls for her to admit she had	7	7 BY MS. ITCHHAPORIA:
8	conversations for a lack of foundation.	8	Q Okay.
9	BY THE WITNESS:	9	MS. ITCHHAPORIA: I'm sorry, I need to
10	A I just don't remember -- I just don't	10	take a quick second and mute the phone.
11	remember that far back specifically who I talked	11	(WHEREUPON, discussion was had off the
12	12 to or what I did. I just don't remember.	12	record.)
13	BY MS. ITCHHAPORIA:	13	MR. COYNE: Misha, we've been going for
14	Q I want to talk to you a little bit more	14	about an hour. Whenever it's convenient, I need
15	about your practice back in May of 2000 when you	15	15 to take five minutes. Whenever's convenient.
16	were in Felony Review and you would be going to	16	MS. ITCHHAPORIA: Let's do that now.
17	the Detective Area to interview a witness. You	17	MR. COYNE: Great. Thank you.
18	would first ask the witness questions before you	18	MS. ITCHHAPORIA: Thank you. Let's come
19	write anything down; is that right?	19	19 back at 1:05?
20	MS. REED: I'm going to object to calls	20	MR. COYNE: That's perfect.
21	for speculation, lack of foundation, and form.	21	MS. ITCHHAPORIA: Okay. Thank you.
22	BY THE WITNESS:	22	(WHEREUPON, a recess was had.)
23	A To the best of my recollection, that would	23	BY MS. ITCHHAPORIA:
24	24 have been the general practice.	24	Q Ms. Leafblad, before the break, we were

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43 (169 to 172)

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<p style="text-align: right;">169</p> <p>1 talking about interviewing a witness and then 2 taking the statement. 3 Do you recall that? 4 A Yes. 5 Q Okay. So is it accurate to say, as far as 6 Mary Curry, that you would have interviewed her 7 before you took the handwritten statement? 8 MS. REED: I'm going to object to lack of 9 foundation. 10 BY THE WITNESS: 11 A Again, as I said, I think it's reasonable 12 to assume that, but I can't confirm it because I 13 just don't have a recollection of that time. 14 BY MS. ITCHHAPORIA: 15 Q How long was your interview of Mary Curry 16 before you took the statement? 17 MS. REED: I'm going to object to lack of 18 foundation, calls for speculation. 19 BY THE WITNESS: 20 A I do not recall. I don't remember how 21 long the interview was. If -- I don't even 22 remember the interview with her. 23 BY MS. ITCHHAPORIA: 24 Q And we looked at the statement that was</p>	<p style="text-align: right;">171</p> <p>1 the time on the handwritten statement, that that 2 would be the time that the statement began -- that 3 you began writing the statement? 4 MS. REED: I'm going to object to form, 5 calls for speculation, lack of foundation. 6 BY THE WITNESS: 7 A In general, I would say that I would write 8 the time down when I started the handwritten 9 statement. 10 BY MS. ITCHHAPORIA: 11 Q Do you know how long it took you to write 12 the statement of Mary Curry? 13 A I do not. 14 MS. REED: Same objections. 15 BY MS. ITCHHAPORIA: 16 Q Do you know when you were done completely 17 with the statement of Mary Curry? 18 MS. REED: Same objections. 19 BY THE WITNESS: 20 A I do not recall. I don't know. 21 BY MS. ITCHHAPORIA: 22 Q We touched on this earlier a little bit, 23 but there's sometimes when you ask suspects how 24 they were treated by the police.</p>
<p style="text-align: right;">170</p> <p>1 marked as Exhibit 2, and I'll just share it again 2 just to show you. 3 The time here at the top is 2:26 a.m. on 4 May 28th, 2000. 5 Do you see that? 6 A Yes. 7 MS. ITCHHAPORIA: For the record, we're 8 looking at Exhibit 2. 9 BY MS. ITCHHAPORIA: 10 Q Does that time, 2:26 a.m., does that 11 indicate the time that you started handwriting 12 Mary Curry's statement? 13 MS. REED: I'm going to object to lack of 14 foundation, as well as calls for speculation. 15 BY THE WITNESS: 16 A Again, I don't remember that time period, 17 but my assumption would be that it is -- my 18 assumption would be that that is supposed to be 19 the time we started doing the handwritten 20 statement. I do not recall if that's the case or 21 not. 22 BY MS. ITCHHAPORIA: 23 Q Was it your practice back in May of 2000 24 when you were in Felony Review that when you noted</p>	<p style="text-align: right;">172</p> <p>1 Do you remember that line of questioning 2 earlier? 3 A I do recall that line of questioning 4 earlier. 5 Q Was it your practice when you were in 6 Felony Review back in May of 2000 to also ask 7 witnesses during your interview of them how they 8 had been treated by the police? 9 MS. REED: I'm going to object to lack of 10 foundation, calls for speculation, form. 11 BY THE WITNESS: 12 A Again, I can respond generally, but I 13 can't say specific to this case or really any 14 other that I did on Felony Review because I just 15 don't remember. But I would say it was my 16 practice to check in and make sure that they were 17 treated well. 18 BY MS. ITCHHAPORIA: 19 Q Okay. And would you typically check in 20 with them as far as your practice after you had 21 done the interview? 22 MS. REED: I'm going to object to calls 23 for speculation, lack of foundation. 24</p>

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44 (173 to 176)

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	173		175
1 BY THE WITNESS:		1 THE WITNESS: I'm sorry, Ms. Reed, I keep	
2 A I cannot speak to that in general or		2 talking when you are.	
3 specifically. In general, it's because the		3 MS. REED: That's okay. You're doing	
4 circumstances could be different each time. I		4 good.	
5 don't know when I would have had the -- I took the		5 BY MS. ITCHHAPORIA:	
6 opportunity when I had it if I had it.		6 Q Okay. And --	
7 And, again, specifically to this case, I		7 MS. REPORTER: I didn't hear an answer.	
8 really just don't have -- I don't have a specific		8 BY THE WITNESS:	
9 recollection of this -- of my conversation with		9 A I don't remember what I answered. What	
10 Ms. Curry.		10 was the question, please?	
11 BY MS. ITCHHAPORIA:		11 BY MS. ITCHHAPORIA:	
12 Q Okay. Do you know if Detective Cruz was		12 Q I don't remember either. Let me ask you	
13 present when you interviewed Mary Curry before you		13 again.	
14 took her statement?		14 When we looked at the statement of Mary	
15 MS. REED: I'm going to object to lack of		15 Curry that was Exhibit 2, there was a portion	
16 foundation.		16 where you asked her how she had been treated by	
17 BY THE WITNESS:		17 the police.	
18 A I don't remember one way or another if he		18 Do you remember seeing that in the	
19 was.		19 statement?	
20 BY MS. ITCHHAPORIA:		20 MS. REED: I'm going to object to lack of	
21 Q Okay. And do you know if Detective Cruz		21 foundation.	
22 was present the entire time when you were taking		22 BY THE WITNESS:	
23 and drafting the handwritten statement of Mary		23 A I remember seeing that in the statement	
24 Curry?		24 today, yes.	
	174		176
1 MS. REED: I'm going to object to lack of		1 BY MS. ITCHHAPORIA:	
2 foundation.		2 Q And based on your practice as a Felony	
3 BY THE WITNESS:		3 Review ASA, is it accurate to say that you would	
4 A I don't remember.		4 have asked Mary Curry how she had been treated by	
5 BY MS. ITCHHAPORIA:		5 the police outside the presence of any police	
6 Q Was it your practice back in May of 2000		6 officers?	
7 when you were in Felony Review when you were		7 MS. REED: I'm going to object to asked	
8 asking a witness how they had been treated by the		8 and answered, lack of foundation, calls for	
9 police, that you would typically do that outside		9 speculation, form.	
10 of the presence of the police?		10 BY THE WITNESS:	
11 MS. REED: I'm going to object to lack of		11 A I will say that it was my general practice	
12 foundation, calls for speculation, form.		12 to try and speak to -- ask the witness outside of	
13 BY THE WITNESS:		13 the officer's presence, but I can't say that I was	
14 A In general, I would try to do that.		14 specifically able to do that in this case.	
15 BY MS. ITCHHAPORIA:		15 BY MS. ITCHHAPORIA:	
16 Q Okay. So the statement that we looked at,		16 Q We're just looking -- I'm going to show	
17 you did ask Mary Curry how she had been treated by		17 you Page 4 of Mary Curry's statement that we	
18 the police. Do you remember seeing that in the		18 marked as Exhibit 2, and I'm just going to read	
19 statement?		19 you this paragraph.	
20 A I saw --		20 It says: "Mary states she was treated	
21 MS. REED: I'm going to object on lack of		21 fine by the police and Assistant State's Attorney	
22 foundation.		22 Leafblad. Mary states she was given 7UP to drink	
23 BY MS. ITCHHAPORIA:		23 and allowed to smoke cigarettes when she wanted.	
24 Q Okay. And so --		24 Mary states no threats or promises were made in	

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45 (177 to 180)

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	177		179
1 exchange for the statement. Mary states she is 2 not under the influence of drugs or alcohol and 3 makes this statement freely and voluntarily." 4 Do you see that?		1 But if you can't answer that question 2 without divulging your mental processes as to why 3 you took a particular position or made a 4 particular decision as a prosecutor, then I would 5 instruct you not to answer.	
5 A I do see that. 6 Q And that is what Mary Curry told you when 7 you asked her those questions, correct?		6 So if you can answer in those terms, go 7 ahead.	
8 MS. REED: I'm going to object to lack of 9 foundation, calls for speculation, form, and 10 hearsay.		8 MS. REED: I'm also going to object to 9 incomplete hypothetical.	
11 BY THE WITNESS:		10 BY THE WITNESS:	
12 A Again, that is what is in the statement, 13 so I can -- I would assume that that is what she 14 told me as well. I don't have a specific 15 recollection of it, but it's in the statement, so 16 I must -- so I don't dispute that it's in the 17 statement.		11 A Can you repeat the question, please.	
18 BY MS. ITCHHAPORIA:		12 BY MS. ITCHHAPORIA:	
19 Q And can you tell me back in May of 2000 20 when you were in Felony Review, is one of the 21 reasons to ask a witness how they were treated and 22 if they were given food and something to drink is 23 to determine if the statement is given voluntarily 24 and freely?		13 Q Sure. The question was, why, as a Felony 14 Review ASA back in May of 2000, would you want to 15 know if a witness is giving a statement freely and 16 voluntarily?	
25 MS. REED: I'm going to object to it calls 26 for speculation.	178	17 A Okay. Again, I just don't recall what my 18 thought processes were or what I knew or didn't 19 know back in May of 2000.	
27 BY THE WITNESS:		20 Q Okay. And I'm not asking you specifically 21 about this case. I'm just saying, in general, 22 when you were a Felony Review ASA, why would you 23 want to know if a witness is giving a statement 24 voluntarily and freely?	
28 A Again, I would ask them generally to make 29 sure that, in fact, yes, they were there -- that 30 they were making the statement freely and 31 voluntarily. I can't speak specifically to this 32 case because I don't have a recollection of what I 33 did on Felony Review.		25 MS. REED: I'm also going to add an 26 objection for relevance.	180
34 But, again, this is -- I'm assuming that I 35 would have asked her because it's in the 36 statement. So I don't have a specific 37 recollection.		35 BY THE WITNESS:	
38 BY MS. ITCHHAPORIA:		39 A Again, I don't remember.	
40 Q Why -- when you were in Felony Review as 41 an ASA, why would you want to know if a witness 42 was giving a statement freely and voluntarily?		40 BY MS. ITCHHAPORIA:	
43 MR. COYNE: And, just so you know, Joanna, 44 just let me interpose an objection.		44 Q Would one of the reasons why you would 45 want to determine if a statement is given 46 voluntarily and freely is to rebut any future 47 allegations that the statement was given under 48 duress or coercion?	
49 For purposes of Federal Rule 26, the Work 50 Product Doctrine, if you can answer that question 51 generally without divulging your mental processes 52 regarding decisions you made as a prosecutor on an 53 individual case, you can go ahead and answer.		51 MS. REED: I'm going to object to form, 52 also leading. And Counsel is testifying or 53 inputting testimony, as well as calls for 54 speculation and lack of foundation.	
		55 BY THE WITNESS:	
		56 A These may be reasonable conclusions, but I 57 cannot testify that that was my mindset at any 58 time because I don't recall May of 2000. I don't 59 recall, like, the specific case, you know, so I 60 can't dispute that this document exists and that, 61 you know, these are -- this is what it says.	
		62 I cannot speculate as to what my thought 63 process was at that time.	
		63 24	

Transcript of Joanna Liotine-Leafblad

46 (181 to 184)

Conducted on July 7, 2022

<p style="text-align: right;">181</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q I think you testified earlier that when 3 you were in Felony Review in May of 2000, you knew 4 that there was a possibility that later, after 5 you've reviewed a case, that you could become a 6 witness.</p> <p>7 Do you remember that testimony?</p> <p>8 A I never testified that I specifically 9 could become a witness. I testified that -- I 10 believe the question was what did I think that 11 Assistant State's Attorneys on Felony Review at 12 this time do, and I said that they could be 13 witnesses in cases.</p> <p>14 Q Okay. Were you aware, when you were a 15 Felony Review ASA for that almost-year time frame, 16 that in the future there was a possibility that 17 you could become a witness?</p> <p>18 MS. REED: I'm going to object to lack of 19 foundation.</p> <p>20 BY THE WITNESS:</p> <p>21 A In general, I was aware that that was a 22 possibility.</p> <p>23 BY MS. ITCHHAPORIA:</p> <p>24 Q And you testified in your capacity as a</p>	<p style="text-align: right;">183</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q So then would -- another reason to put in 3 a statement that a statement is given freely and 4 voluntarily by a witness would also be to refresh 5 your recollection when you had to testify as a 6 witness?</p> <p>7 MR. COYNE: And, again, you can 8 actually -- let me just interject.</p> <p>9 Joanna, same instruction as previously. 10 If you can answer that question generally, you may 11 do so. If you can only answer that question with 12 respect to a particular case and your 13 decision-making with respect to that case as a 14 prosecutor, then I would instruct you not to 15 answer based on work product privilege.</p> <p>16 MS. REED: I'm also going to object to 17 speculation, form, lack of foundation, incomplete 18 hypothetical.</p> <p>19 BY THE WITNESS:</p> <p>20 A I will say, I didn't understand the 21 question.</p> <p>22 BY MS. ITCHHAPORIA:</p> <p>23 QOkay. The question would be, in the 24 statement that we looked at from Mary Curry, as an</p>
<p style="text-align: right;">182</p> <p>1 Felony Review -- well, strike that.</p> <p>2 You testified as an employee of the Cook 3 County State's Attorney about your role as a 4 Felony Review ASA in several cases; is that right?</p> <p>5 MS. REED: I'm going to object to 6 relevance as well as lack of foundation, calls for 7 speculation.</p> <p>8 BY THE WITNESS:</p> <p>9 A I have. I have testified to that in the 10 past, yes.</p> <p>11 BY MS. ITCHHAPORIA:</p> <p>12 Q Okay. And before you testified in the 13 Xavier Walker pretrial hearing, had you testified 14 in court about your role as a Felony Review ASA in 15 other cases?</p> <p>16 MS. REED: I'm going to object to 17 relevance.</p> <p>18 BY THE WITNESS:</p> <p>19 A I don't remember the -- I don't remember. 20 I know that I have testified, but I don't know the 21 order or, like, the time period. I don't know if 22 it was a case prior to Xavier Walker, if there was 23 a case after. I just don't know the answer to 24 that question. I don't remember.</p>	<p style="text-align: right;">184</p> <p>1 example, but I'm speaking generally, when you 2 would indicate that a witness's statement is it 3 voluntarily given and freely given, is one of the 4 reasons you would do that so that when you're 5 asked to testify, it would refresh your 6 recollection that the statement was, in fact, 7 given freely and voluntarily?</p> <p>8 MS. REED: I'm going to --</p> <p>9 MR. COYNE: Same --</p> <p>10 MS. REED: Same objections.</p> <p>11 MR. COYNE: Same instruction as 12 previously.</p> <p>13 BY THE WITNESS:</p> <p>14 A Yeah, I'm not -- I'm going to respectfully 15 not answer that question.</p> <p>16 BY MS. ITCHHAPORIA:</p> <p>17 Q Okay. Based on work product privilege?</p> <p>18 A Yeah.</p> <p>19 Q Okay. When you joined the Felony Review 20 team back in December of 1999, were you given any 21 sort of training about what needed to be included 22 in a statement of a witness?</p> <p>23 A I don't recall any specific training.</p> <p>24 Q Were you trained when you were in Felony</p>

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47 (185 to 188)

Conducted on July 7, 2022

	185		187
1 Review about what needed to be included in a 2 suspect statement?		1 Q When you were done with the handwritten 2 statement of Mary Curry, what was your 3 practice -- well, strike that.	
3 A I really don't recall any specific 4 training.		4 What was your practice back in May of 2000 5 when you were Felony Review as far as what would 6 you -- what you would do with the statement of a 7 witness once you were done?	
5 Q Were you trained as part of being a Felony 6 Review ASA that you needed to make a determination 7 that the statements that you were taking, whether 8 it was from a witness or a suspect, was given 9 voluntarily and freely?		8 MS. REED: Objection, lack of foundation, 9 calls for speculation.	
10 A I don't recall any specific training.		10 BY THE WITNESS:	
11 Q Showing you again Exhibit 2. 12 Right here, do you see where my cursor is?		11 A I really don't remember what I would have 12 done at that time.	
13 A Yes.		13 BY MS. ITCHHAPORIA:	
14 Q It says: "Mary states that the person in 15 Exhibit 1 is Jovanie Long, a/k/a Vani." 16 Do you see that?		14 Q Is it accurate to say that back in May 15 of 2000 that you would have taken possession of 16 the original handwritten statement?	
17 A I do.		17 MS. REED: Same objections.	
18 Q So at the time when you were taking the 19 statement from Mary Curry, you had a picture of 20 Jovanie Long, is that right?		18 BY THE WITNESS:	
21 MS. REED: I'm going to object to lack of 22 foundation, calls for speculation.		19 A I really don't remember what I would have 20 done at that time.	
23 BY THE WITNESS:		21 BY MS. ITCHHAPORIA:	
24 A That is what this statement indicates.	186	22 Q If there were any photographs that were 23 attached to -- or shown to a witness during a 24 handwritten statement, would the photograph be	
1 BY MS. ITCHHAPORIA:			188
2 Q And you have no reason to dispute that you 3 had a picture of Jovanie Long?		1 attached to the statement? Was that part of your 2 practice?	
4 A That is correct.		3 MS. REED: Same objections.	
5 MS. REED: Same objections.		4 BY THE WITNESS:	
6 BY MS. ITCHHAPORIA:		5 A If there is a picture attached to the 6 statement, then I don't dispute that the picture 7 would be attached to it. I don't remember 8 anything outside of that.	
7 Q How did you get the picture of Jovanie 8 Long back in May of 2000?		9 BY MS. ITCHHAPORIA:	
9 MS. REED: Same objections.		10 Q Do you know what you did with the 11 handwritten statement of Mary Curry after you were 12 done drafting it and reviewing it and it was all 13 signed?	
10 BY THE WITNESS:		14 MS. REED: Same objections.	
11 A I don't remember how I got the picture.		15 BY THE WITNESS:	
12 BY MS. ITCHHAPORIA:		16 A I do not remember.	
13 Q Why did you ask Mary to identify if the 14 person in Exhibit 1 was Jovanie Long?		17 BY MS. ITCHHAPORIA:	
15 MS. REED: Same objections.		18 Q And I think on the statement you signed it 19 along with Mary Curry and Detective Cruz; is that 20 right?	
16 BY THE WITNESS:		21 MS. REED: Same objection.	
17 A I really don't -- I don't remember why I 18 did any -- I don't remember.		22 BY THE WITNESS:	
19 BY MS. ITCHHAPORIA:		23 A My signature is on there. It looks like 24 my signature that's on there, yes.	
20 Q Okay. And I think you told me this 21 earlier but you don't remember when you were 22 done -- what time it was when you were done with 23 Mary Curry; is that right?			
24 A That's correct, I don't remember.			

Transcript of Joanna Liotine-Leafblad

48 (189 to 192)

Conducted on July 7, 2022

	189		191
1 BY MS. ITCHHAPORIA:		1 Q Okay. And then the detective also would	
2 Q And then do you see also on each page		2 sign each page of the handwritten statement? Do	
3 there's a signature of Mary Curry?		3 you see Detective Cruz's signature -- or what	
4 MS. REED: I'm going to object as it calls		4 purports to be Detective Cruz's signature on each	
5 for a conclusion.		5 page?	
6 BY THE WITNESS:		6 MS. REED: I'm going to object to lack of	
7 A Are you -- do you mean to share the screen		7 foundation, calls for speculation, calls for a	
8 with me? Because I don't --		8 conclusion.	
9 BY MS. ITCHHAPORIA:		9 BY THE WITNESS:	
10 Q Oh, I'm not sharing it? Sorry. Hold on.		10 A I see a signature. It's hard to read, but	
11 Showing the witness Exhibit 2.		11 I see a third signature on it.	
12 Do you see on each page -- and I can show		12 BY MS. ITCHHAPORIA:	
13 you -- that there also appears to be what appears		13 Q Do you know why the detective would sign	
14 to be the signature of Mary Curry?		14 each page of a witness's handwritten statement?	
15 MS. REED: I'm going to object to lack of		15 MS. REED: Same objection.	
16 foundation, calls for speculation, calls for a		16 BY THE WITNESS:	
17 conclusion.		17 A No. I don't remember why, no.	
18 BY THE WITNESS:		18 BY MS. ITCHHAPORIA:	
19 A I see that there is a signature on there		19 Q Okay. Back in May of -- well, strike	
20 that looks like -- that says "Mary Curry."		20 that.	
21 BY MS. ITCHHAPORIA:		21 Why would you also, in May of 2000, sign	
22 Q Why would you have the witness sign each		22 each page of the handwritten statement?	
23 page of the handwritten statement back in May of		23 MS. REED: Same objections.	
24 2000?		24 MR. COYNE: Same instruction, Joanna.	
	190		192
1 MR. COYNE: Same --		1 Same instruction. You can answer the question if	
2 MS. REED: I'm going to --		2 you can answer generally without disclosing your	
3 MR. COYNE: Well, let me ask, before you		3 mental impressions and your decisions that you	
4 answer that question, Joanna, before we assess		4 made as a prosecutor with regard to an individual	
5 potential work product privilege, do you know the		5 case, which would be work product.	
6 answer to that question?		6 If you can answer that question without	
7 THE WITNESS: Of -- do I know the answer		7 disclosing that information, then you can go ahead	
8 to the question of why we would have the witness		8 and answer.	
9 sign?		9 BY THE WITNESS:	
10 MR. COYNE: Yeah, I just want to know if		10 A I can't answer the question without	
11 you know the answer to the question she just asked		11 disclosing that information.	
12 you before we go further to assess potential		12 BY MS. ITCHHAPORIA:	
13 privilege.		13 Q Okay. So on the basis of work product	
14 I'm not asking you to answer it; I'm just		14 you're not answering that question; is that	
15 asking you if you know the answer.		15 correct?	
16 THE WITNESS: I don't remember what I		16 A Yes.	
17 would -- I don't know the answer.		17 Q Okay. After you -- generally in your	
18 MR. COYNE: Okay. Fair enough. You can		18 practice as a Felony Review ASA, after you were	
19 go ahead.		19 done interviewing a witness, would you discuss	
20 MS. REED: I'm going to make an objection		20 with the witness how to memorialize the witness's	
21 for lack of foundation, calls for speculation.		21 statement?	
22 BY MS. ITCHHAPORIA:		22 MS. REED: Same objections.	
23 Q What was the answer?		23 BY THE WITNESS:	
24 A The answer is I don't know the answer.		24 A In general, if I -- I think that I would	

Transcript of Joanna Liotine-Leafblad

49 (193 to 196)

Conducted on July 7, 2022

	193		195
1 have had that discussion with a witness, but I		1 well as it calls for the conclusion that this is	
2 don't have a specific recollection of that time		2 actually Mary's statement.	
3 period, so I can't say if I did or not.		3 BY THE WITNESS:	
4 BY MS. ITCHHAPORIA:		4 A Again, I don't remember my conversation	
5 Q Do you know back in May of 2000 what		5 with Mary, and I don't remember, you know,	
6 options a witness would have had to memorialize		6 specifically. I see that there is a handwritten	
7 his or her statement?		7 statement that we are discussing today, and I	
8 MS. REED: I'm going to object to lack of		8 don't dispute its existence.	
9 foundation.		9 BY MS. ITCHHAPORIA:	
10 BY THE WITNESS:		10 Q And if Mary Curry had said "I don't want	
11 A I don't remember what they would have had		11 to give a handwritten statement," then this	
12 at that time.		12 document wouldn't exist in Exhibit 2; is that	
13 BY MS. ITCHHAPORIA:		13 fair?	
14 Q Back in May of 2000, would the Cook County		14 MR. COYNE: Objection, speculation.	
15 State's Attorney's Office memorialize a witness's		15 MS. REED: I'll join the objection to	
16 statement by video recording the statement, or		16 speculation, as well as incomplete hypothetical.	
17 was that --		17 BY THE WITNESS:	
18 MS. REED: I'm going to --		18 A I can't answer that. I don't know. I	
19 BY MS. ITCHHAPORIA:		19 don't remember --	
20 Q -- for suspects?		20 BY MS. ITCHHAPORIA:	
21 MR. COYNE: Sorry. Objection, form.		21 Q Do you have any --	
22 MS. REED: I'm going to join the		22 A I don't remember that conversation with	
23 objection, as well as lack of foundation.		23 her.	
24		24 Q Understanding that you have no	
	194		196
1 BY THE WITNESS:		1 recollection, do you have any reason to dispute	
2 A I don't remember if there were video		2 that Mary Curry chose to give a handwritten	
3 statement options for witnesses as well as people		3 statement?	
4 in custody.		4 MR. COYNE: Same objection.	
5 BY MS. ITCHHAPORIA:		5 MS. REED: I'm going to join the	
6 Q Is it accurate to say, though, that your		6 objection, as well as lack of foundation.	
7 practice as a Felony Review ASA is to give the		7 BY THE WITNESS:	
8 witness the option of how the witness wants to		8 A I don't dispute that there is a	
9 memorialize the statement?		9 handwritten statement purported to be by Mary	
10 MS. REED: I'm going to object to lack of		10 Curry. I don't dispute that this -- we're looking	
11 foundation, calls for speculation, and form.		11 at a statement here that says "Mary Curry" on it.	
12 BY THE WITNESS:		12 BY MS. ITCHHAPORIA:	
13 A I will say that, in general, a witness is		13 Q Okay. But I -- do you dispute then that	
14 given the opportunity to decide whether and how		14 she chose to give a handwritten statement?	
15 their statement is memorialized, but I don't have		15 MR. COYNE: Objection --	
16 any specific recollection about this one.		16 MS. REED: Join objection, as well as lack	
17 Q And so with respect to Mary Curry --		17 of foundation and asked and answered.	
18 because we're looking at her handwritten statement		18 BY THE WITNESS:	
19 here in Exhibit 2 -- is it accurate to say that		19 A I don't recall that conversation, so I	
20 she chose to memorialize her statement by giving		20 can't -- this would be -- would require me to make	
21 it handwritten?		21 a statement as to what her mindset was at a time	
22 MR. COYNE: Objection, speculation.		22 in a -- you know, in a time that I don't recall in	
23 MS. REED: I'm going to join in		23 a conversation that I don't recall.	
24 speculation, as well as lack of foundation, and as		24	

Transcript of Joanna Liotine-Leafblad

50 (197 to 200)

Conducted on July 7, 2022

<p>197</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q Back in May of 2000 when you were in 3 Felony Review, when you would draft the 4 handwritten statement, would the officer be 5 present, or would that be on a case-by-case basis?</p> <p>6 MS. REED: I'm going to object to lack of 7 foundation.</p> <p>8 BY THE WITNESS:</p> <p>9 A Again, you know, in general, they could be 10 present, but that doesn't mean that any -- that 11 there was a requirement or a common practice.</p> <p>12 BY MS. ITCHHAPORIA:</p> <p>13 Q When you were interviewing Mary Curry back 14 on May 28, 2000, were you the one that was asking 15 her questions?</p> <p>16 MS. REED: I'm going to object to calls 17 for speculation, lack of foundation, and form.</p> <p>18 BY THE WITNESS:</p> <p>19 A I just don't remember the conversation 20 with her specifically, so I don't know how to 21 answer that question.</p> <p>22 BY MS. ITCHHAPORIA:</p> <p>23 Q Do you remember any questions that you 24 asked her specifically?</p>	<p>199</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q So is it accurate to say that any 3 handwritten statements that you were involved in, 4 it was your practice to be the person to draft the 5 handwritten statements?</p> <p>6 MS. REED: I'm going to object it calls 7 for speculation and lack of foundation.</p> <p>8 BY THE WITNESS:</p> <p>9 A In general, it is likely I would have 10 written it, but, again, I can't speak specifically 11 to this case or any other specific case.</p> <p>12 BY MS. ITCHHAPORIA:</p> <p>13 Q Did you have any conversation with Mary 14 Curry on May 28, 2000, about her testifying before 15 the grand jury?</p> <p>16 MS. REED: I'm going to object to lack of 17 foundation.</p> <p>18 BY THE WITNESS:</p> <p>19 A I do not recall my conversation with Mary 20 Curry, so I don't know.</p> <p>21 BY MS. ITCHHAPORIA:</p> <p>22 Q If a witness was going to testify before 23 the grand jury, would it be the Felony Review ASA 24 that would be having the conversation with the</p>
<p>198</p> <p>1 MS. REED: Same objections.</p> <p>2 BY THE WITNESS:</p> <p>3 A I do not.</p> <p>4 BY MS. ITCHHAPORIA:</p> <p>5 Q Back in May of 2000, was it the Cook 6 County State's attorney's policy or practice or 7 procedure to not allow witnesses to handwrite 8 their own statements?</p> <p>9 MS. REED: I'm going to object to lack of 10 foundation, calls for speculation, and form.</p> <p>11 BY THE WITNESS:</p> <p>12 A I don't know. I can't answer. I don't 13 know the answer to that question.</p> <p>14 BY MS. ITCHHAPORIA:</p> <p>15 Q Okay. Have you ever in your career as a 16 Felony Review ASA ever had a witness handwrite his 17 or her statement?</p> <p>18 MS. REED: I'm going to object to the 19 question being broad as to scope and time, as well 20 as calls for speculation, lack of foundation, and 21 form.</p> <p>22 BY THE WITNESS:</p> <p>23 A Not in my recollection.</p> <p>24</p>	<p>200</p> <p>1 witness before the witness was actually going to 2 the grand jury?</p> <p>3 MS. REED: I'm going --</p> <p>4 MR. COYNE: Objection, form.</p> <p>5 MS. REED: I'm going to join the objection 6 for form, as well as speculation, lack of 7 foundation.</p> <p>8 BY THE WITNESS:</p> <p>9 A I don't recall how things were done at 10 that time with regard to the grand jury.</p> <p>11 BY MS. ITCHHAPORIA:</p> <p>12 Q Back in May 2000 when you were a Felony 13 Review ASA, who would decide on a murder case who 14 would be testifying before the grand jury?</p> <p>15 MS. REED: I'm going to object to form and 16 calls for speculation, lack of foundation.</p> <p>17 BY THE WITNESS:</p> <p>18 A I don't know the answer to that, and I 19 don't recall what the process was, and I just 20 don't know the answer.</p> <p>21 BY MS. ITCHHAPORIA:</p> <p>22 Q Okay. I'm going to represent to you that 23 ASA Luke Sheridan was the grand jury ASA back in 24 May of 2000.</p>

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51 (201 to 204)

Conducted on July 7, 2022

	201		203
1 Knowing that information, did you ever 2 have a conversation with ASA Luke Sheridan about 3 Mary Curry's grand jury testimony?		1 grand jury?	
4 MS. REED: I'm going to object to lack of 5 foundation and form.		2 MS. REED: I'm going to object to lack of 3 foundation, calls for speculation, and form.	
6 MR. COYNE: Yeah, and under the Grand Jury 7 Secrecy Act, Joanna, you need to know that it is 8 contemptible to disclose information regarding 9 witness testimony and other matters presented to 10 the grand jury.		4 BY THE WITNESS:	
11 So I understood Counsel's question to be 12 something that preceded the actual grand jury 13 proceedings themselves, but you ought to know 14 that, that the Grand Jury Secrecy Act precludes 15 revealing witnesses, testimony, and other 16 witnesses that is, in fact, presented to the grand 17 jury.		5 A Not that I recall.	
18 So that's just an admonition to protect 19 your interest in answering grand jury questions.		6 BY MS. ITCHHAPORIA:	
20 MS. ITCHHAPORIA: Sure. My question was 21 about preceding, but just so you know, John, that 22 that's been waived in this case because the grand 23 jury transcripts have been produced to all the 24 parties.		7 Q Okay. So Ashanti Wright's statement that 8 we looked at before that was marked as Exhibit 1 9 was taken on May 28, 2000, but a few hours later. 10 Do you recall that? Based on what we looked at 11 today.	
202		12 MS. REED: I'm going to object to lack of 13 foundation, calls for speculation.	
1 MR. COYNE: Oh, it has. Okay. Fair 2 enough.		14 BY THE WITNESS:	
3 BY THE WITNESS:		15 A I'm sorry, I don't understand what your 16 question was. Can you please ask it again.	
4 A I don't remember if I talked to Luke about 5 this case or not.		17 BY MS. ITCHHAPORIA:	
6 BY MS. ITCHHAPORIA:		18 Q I'm just going to show it to you. Hold on 19 a second.	
7 Q But you do know Luke Sheridan; is that 8 right?		20 A Okay.	
9 A I do know him, yeah.		21 MS. ITCHHAPORIA: I'm going to show the 22 witness what was previously marked as Exhibit 1, 23 which was the handwritten statement of Ashanti 24 Wright.	
10 Q Did you ever become aware that Mary Curry 11 testified before the grand jury?		204	
12 A I don't remember if I knew it at the time 13 or not.		1 BY MS. ITCHHAPORIA:	
14 Q Did you ever become aware that Ashanti 15 Wright testified before the grand jury?		2 Q Do you see Exhibit 1 on the screen?	
16 MS. REED: I'm going to object to lack of 17 foundation.		3 A I do.	
18 BY THE WITNESS:		4 Q And do you see that it was taken on 5 May 28, 2000, at 6:10 a.m.?	
19 A I don't remember if I knew it at that 20 time. I don't remember any -- I don't remember.		6 A Yes.	
21 BY MS. ITCHHAPORIA:		7 MS. REED: I'm going to object to lack of 8 foundation and calls for speculation.	
22 Q And after your conversation with Ashanti 23 Wright, also on May 28, 2000, did you have a 24 conversation with her about testifying before the		9 BY MS. ITCHHAPORIA:	
		10 Q Okay. And based on the statement that we 11 looked at of Mary Curry, Ashanti Wright's 12 statement was taken after the handwritten 13 statement of Mary Curry was taken, correct?	
		14 MS. REED: Same objections.	
		15 BY THE WITNESS:	
		16 A If we go by what these documents state, 17 then that is -- that would be correct.	
		18 BY MS. ITCHHAPORIA:	
		19 Q And you have no reason to doubt that the 20 dates and times on these documents is anything 21 other than what it says?	
		22 MS. REED: Objection, lack of foundation, 23 calls for speculation, and form, as well as 24 hearsay.	

Transcript of Joanna Liotine-Leafblad

52 (205 to 208)

Conducted on July 7, 2022

	205		207
1 BY THE WITNESS:		1 MS. ITCHHAPORIA: Sure.	
2 A I don't dispute the documents.		2 (WHEREUPON, a recess was had.)	
3 BY MS. ITCHHAPORIA:		3 BY MS. ITCHHAPORIA:	
4 Q Okay. Do you know what you did in between		4 Q Ms. Leafblad, before the break, we were	
5 taking Mary Curry's statement and taking Ashanti		5 talking about the timing of Ashanti Wright's	
6 Wright's statement?		6 statement, just to acquaint you where we are.	
7 MS. REED: I'm going to object to lack of		7 And we saw that her statement was taken	
8 foundation.		8 after the statement of Mary Curry based on the	
9 BY THE WITNESS:		9 documents that you reviewed today, correct?	
10 A I don't know. I don't remember.		10 MS. REED: I'm going to object to calls	
11 BY MS. ITCHHAPORIA:		11 for speculation, lack of foundation.	
12 Q Do you know if you stayed at the area or		12 BY THE WITNESS:	
13 if you went back to the Felony Review office at		13 A That's what the documents reflect.	
14 26th and California?		14 BY MS. ITCHHAPORIA:	
15 MS. REED: I'm going to object to lack of		15 Q And I may have asked you this, and I don't	
16 foundation and asked and answered.		16 recall, but are you able to tell me if you left	
17 BY THE WITNESS:		17 the Area in between those two statements?	
18 A I really don't remember.		18 MS. REED: I'm going to object to asked	
19 BY MS. ITCHHAPORIA:		19 and answered, lack of foundation.	
20 Q Did you know at the time when you were		20 BY THE WITNESS:	
21 taking the handwritten statement of Mary Curry		21 A I don't remember what I did between the	
22 that there was another witness that -- whose		22 statements.	
23 handwritten statement also needed to be taken?		23 BY MS. ITCHHAPORIA:	
24 MS. REED: I'm going to object to lack of		24 Q When we looked at the statement of Ashanti	
	206		208
1 foundation, as well as mischaracterizes prior		1 Wright, you saw that it was taken at a different	
2 testimony, calls for speculation, form.		2 location than Area 4; is that right?	
3 BY THE WITNESS:		3 MS. REED: I'm going to object to calls	
4 A I don't remember.		4 for speculation, lack of foundation.	
5 BY MS. ITCHHAPORIA:		5 BY THE WITNESS:	
6 Q Okay.		6 A That's what the document would suggest.	
7 MR. COYNE: I'm sorry, Misha, let me just		7 BY MS. ITCHHAPORIA:	
8 interject real quick.		8 Q I'll just show that to you what we marked	
9 Joanna, we've been going for more than		9 as Exhibit 1.	
10 three and a half hours. Do you need to take a		10 Do you see that on your screen?	
11 lunch break or another break of a significant		11 A I do.	
12 period of time longer than five minutes?		12 Q And it says that the statement was taken	
13 THE WITNESS: No.		13 at 4653 West Erie, Chicago. Do you see that?	
14 MS. ITCHHAPORIA: Okay. Does anybody else		14 A I see that.	
15 need to? I'm happy to proceed if the witness is		15 Q And you have no reason to dispute that was	
16 happy and everybody else is.		16 the location where you took the statement of	
17 MR. COYNE: Yeah, Misha, approximately how		17 Ashanti Wright on May 28, 2000, correct?	
18 much more do you have, just in general?		18 MS. REED: I'm going to object to lack of	
19 MS. ITCHHAPORIA: Maybe an hour.		19 foundation, calls for speculation.	
20 MR. COYNE: Okay.		20 BY THE WITNESS:	
21 MS. REED: If it's going to be an hour,		21 A I will not -- I cannot -- I do not dispute	
22 can we take about a 15-minute break? I haven't		22 that a statement of Ashanti Wright was taken at	
23 been able to use the restroom and I'm on crutches		23 that address.	
24 so it's going to take some time to get there.		24	

Transcript of Joanna Liotine-Leafblad

53 (209 to 212)

Conducted on July 7, 2022

	209		211
1 BY MS. ITCHHAPORIA:		1 Review ASA about the location of where to take a	
2 Q Do you know why you ended up taking the		2 statement from a witness?	
3 statement of Ashanti Wright at 4653 West Erie		3 A I don't know why a statement would be	
4 rather than a detective area?		4 taken elsewhere. And I think that I would -- you	
5 MS. REED: I'm going to object to lack of		5 know, I could guess or assume, but I don't have a	
6 foundation.		6 specific answer to why the choice would be made.	
7 BY THE WITNESS:		7 Q As you sit here today, can you picture	
8 A I have no recollection of the -- of taking		8 what the home looked like at 4653 West Erie?	
9 the statement, so I don't -- I don't know why.		9 A No, I cannot.	
10 BY MS. ITCHHAPORIA:		10 Q I'll represent to you it's a home also	
11 Q Prior to -- or strike that.		11 where Mary Curry lived, which was 4653 West Erie.	
12 During your career as an ASA, had you had		12 Knowing that information, does that refresh your	
13 occasion to interview and take a statement from a		13 recollection of what the home looked like?	
14 witness at any location other than the detective		14 A No --	
15 area?		15 MS. REED: I'm going to object to lack of	
16 MS. REED: I'm going to object to it being		16 foundation.	
17 overly broad.		17 BY THE WITNESS:	
18 BY THE WITNESS:		18 A No, unfortunately it does not.	
19 A I believe so.		19 BY MS. ITCHHAPORIA:	
20 BY MS. ITCHHAPORIA:		20 Q Was anyone else at the home when you were	
21 Q Was it unusual in this case to take a		21 speaking to Ashanti Wright on May 28, 2000?	
22 statement from a witness at a location other than		22 MS. REED: I'm going to object to lack of	
23 the Area?		23 foundation, calls for speculation.	
24 MR. COYNE: Objection, form.		24	
	210		212
1 BY THE WITNESS:		1 BY THE WITNESS:	
2 A I don't recall why this was taken -- the		2 A I don't remember.	
3 statement was taken at this address. I don't		3 BY MS. ITCHHAPORIA:	
4 recall having taken the statement, so I can't		4 Q Do you remember little children or young	
5 speak to any kind of thought process in terms of		5 children being in the home when you took the	
6 why this document shows 4653 West Erie address.		6 statement from Ashanti Wright on May 28, 2000?	
7 You know, presumably that the statement was taken		7 MS. REED: I'm going to object to lack of	
8 at that address.		8 foundation, calls for speculation.	
9 BY MS. ITCHHAPORIA:		9 BY THE WITNESS:	
10 Q Was there any sort of requirement back in		10 A I don't remember taking the statement, and	
11 May of 2000 when you were in Felony Review to		11 I don't remember who was present. I don't even --	
12 inform your trial supervisor of the fact that you		12 I didn't even remember where I took it so...	
13 were taking a statement at a witness's home?		13 BY MS. ITCHHAPORIA:	
14 BY THE WITNESS:		14 Q Do you know how you got from Area 4 to	
15 A I don't recall -- I don't recall what kind		15 4653 West Erie on May 28, 2000?	
16 of procedures there would have been at that time.		16 MS. REED: Same objections.	
17 BY MS. ITCHHAPORIA:		17 BY THE WITNESS:	
18 Q Do you recall when you were Felony Review		18 A No, I don't remember.	
19 ASA ever reporting to your trial supervisor that		19 BY MS. ITCHHAPORIA:	
20 you took a statement of a witness at the witness's		20 Q And would your practice have been the same	
21 home?		21 when you were taking -- when you went to 4653 that	
22 A No, I don't recall specifically talking to		22 you would have interviewed Ashanti Wright before	
23 a trial supervisor about that.		23 you started drafting the handwritten statement?	
24 Q Would it be your decision as the Felony		24 MS. REED: I'm going to object to	

Transcript of Joanna Liotine-Leafblad

54 (213 to 216)

Conducted on July 7, 2022

<p>1 mischaracterizes prior testimony, as well as lack 2 of foundation, calls for speculation. 3 BY THE WITNESS: 4 A I don't know why we went to the house. I 5 don't know why the statement was taken there. I 6 don't have any -- I can't comment in terms of 7 anything specific with regard to this specific. 8 BY MS. ITCHHAPORIA: 9 Q Right. Understanding that you have no 10 recollection of this specific statement, was it 11 still your practice in May of 2000, even if you 12 weren't taking a statement at the detective area 13 that you would still go ahead and interview the 14 witness before you took the handwritten statement? 15 MS. REED: Same objections. 16 BY THE WITNESS: 17 A Well, I can say in general, and, as I said 18 already, that my practice would have been to speak 19 to the witness first before taking any kind of 20 handwritten statement. That's all I can say is 21 that in general, that's what I would have done. 22 BY MS. ITCHHAPORIA: 23 Q And with respect to Ashanti Wright, do you 24 have any reason to believe that you diverted from</p>	<p>213</p> <p>1 present when you interviewed Ashanti Wright? 2 MS. REED: Same objection. 3 BY THE WITNESS: 4 A Outside of what we see on the document, I 5 don't have any recollection of who would have been 6 there. 7 BY MS. ITCHHAPORIA: 8 Q And the document indicated that Detective 9 Cruz and Detective Wolverton were present for the 10 handwritten for Ashanti Wright. Do you remember 11 seeing that? 12 A I remember seeing that, and so I don't 13 dispute what that says. Outside of that, I have 14 no recollection of who was there. 15 Q Do you -- did you have any communications 16 with Detective Wolverton about the Marek Majdak 17 homicide investigation? 18 MS. REED: I'm going to object to lack of 19 foundation calls for speculation. 20 BY THE WITNESS: 21 A I don't recall having any conversation 22 with Wolverton about it. 23 BY MS. ITCHHAPORIA: 24 Q Do you know if Detective Cruz or Detective</p>
<p>1 that practice when you interviewed her and took 2 her handwritten statement on May 28, 2000? 3 MS. REED: I'm going to object to it calls 4 for speculation, lack of foundation. 5 BY THE WITNESS: 6 A I don't have any recollection that would 7 give me any kind of reason to believe one way or 8 the other. 9 BY MS. ITCHHAPORIA: 10 Q Do you know how long the interview was of 11 Ashanti Wright? 12 MS. REED: I'm going to object to lack of 13 foundation, calls for speculation. 14 BY THE WITNESS: 15 A I do not remember how long that interview 16 was. 17 BY MS. ITCHHAPORIA: 18 Q Did you ask questions during the interview 19 of Ashanti Wright? 20 MS. REED: Same objection. 21 BY THE WITNESS: 22 A I don't remember if I -- I don't remember. 23 BY MS. ITCHHAPORIA: 24 Q Do you know if any police officers were</p>	<p>214</p> <p>1 Wolverton asked any questions of Ashanti Wright 2 during the interview? 3 MS. REED: I'm going to object to lack of 4 foundation, calls for speculation. 5 BY THE WITNESS: 6 A I don't remember if they asked her 7 questions or not. 8 BY MS. ITCHHAPORIA: 9 Q Are you able to describe what Ashanti 10 Wright looked like? 11 A No, I'm not -- 12 MS. REED: I'm going to object to lack of 13 foundation, calls for speculation. 14 BY MS. ITCHHAPORIA: 15 Q Did you form any impressions of Ashanti 16 Wright? 17 MS. REED: Same objection and form. 18 BY THE WITNESS: 19 A I have -- I don't remember. 20 BY MS. ITCHHAPORIA: 21 Q Did Ashanti Wright appear to you to be 22 scared to provide incriminating statements against 23 Xavier Walker and Jovanie Long? 24 MS. REED: I'm going to object to the form</p>

Transcript of Joanna Liotine-Leafblad

55 (217 to 220)

Conducted on July 7, 2022

	217		219
1 of the question, as well as foundation and calls 2 for speculation. 3 BY THE WITNESS: 4 A I don't remember my conversation with her, 5 and I certainly can't speak to what her mindset 6 was. 7 BY MS. ITCHHAPORIA: 8 Q We talked about this earlier, but your 9 practice would have been to ask the witness how 10 they wanted their statement memorialized, correct? 11 MS. REED: I'm going to object to lack of 12 foundation, calls for speculation, 13 mischaracterizes prior testimony. 14 BY THE WITNESS: 15 A That was a general practice. I can't say 16 that I was -- that I did it exactly the same way 17 in this circumstance. I don't remember. I just 18 have no recollection of this. 19 BY MS. ITCHHAPORIA: 20 Q Do you have any reason to believe that you 21 diverted from that practice when it came to asking 22 Ashanti Wright how she wanted to memorialize her 23 statement? 24 MS. REED: Same objections, as well as		1 BY MS. ITCHHAPORIA: 2 Q Was it your practice when you were in 3 Felony Review to put in quotation marks the exact 4 language that the witness was using? 5 MS. REED: Same objections, as well as 6 relevance. 7 BY THE WITNESS: 8 A I don't recall why I would have done that. 9 BY MS. ITCHHAPORIA: 10 Q Okay. What about -- what about your 11 practice; was it your practice to put things that 12 witnesses said in quotes in the statement? 13 MS. REED: I'm going to object to asked 14 and answered, as well as foundation and 15 speculation. 16 BY THE WITNESS: 17 A You know what, I can't speak to a general 18 practice in terms of those -- in terms of why I 19 would put one thing in quotes or not put another 20 thing in quotes. I can't speak to that. 21 BY MS. ITCHHAPORIA: 22 Q Just going down further down in that 23 paragraph, it says: Who they call, quote, 24 Boo Boo, end quote, and was, quote, trickin', end	
	218		220
1 asked and answered I believe. 2 BY THE WITNESS: 3 A I don't have reason to believe I would 4 have, but I don't recall the conversation. 5 BY MS. ITCHHAPORIA: 6 Q Okay. I just wanted to show you 7 something. Just bear with me. I'm just trying to 8 find it in the statement. 9 I'm showing you what we marked as 10 Exhibit 1 to your deposition, the handwritten 11 statement of Ashanti Wright. 12 And do you see right here where my cursor 13 is where it says "Ashanti"? 14 A Yes. 15 Q She was, quote, bogus, end quote for 16 telling Mama. Do you see that? 17 A I do see that. 18 Q Why is the word quote -- why is the word 19 "bogus" in quotation works? 20 MS. REED: I'm going to object to calls 21 for speculation, lack of foundation. 22 BY THE WITNESS: 23 A I don't know. 24	1 quote? 2 Do you see that? 3 A I do see that. 4 Q Okay. Was the word "trickin'" was that 5 the word that Ashanti Wright used? 6 MS. REED: I'm going to object to lack of 7 foundation, calls for speculation. 8 BY THE WITNESS: 9 A I don't remember the conversation. I see 10 that the word is in the document, and I can't 11 dispute that it's there. We can make assumptions 12 that it was used. I don't have a specific 13 recollection. 14 BY MS. ITCHHAPORIA: 15 Q Did you use the word "trickin'" the way 16 it's spelled there in the statement back in May of 17 2000? 18 MS. REED: I'm going to object to lack of 19 foundation, calls for speculation, and also 20 mischaracterizes prior testimony as it assumes 21 that she wrote this document or admitted to 22 writing this document. 23 BY THE WITNESS: 24 A Are you asking me if I used the word --		

Transcript of Joanna Liotine-Leafblad

56 (221 to 224)

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	221		223
1 BY MS. ITCHHAPORIA:		1 foundation, calls for speculation, also	
2 Q Yes.		2 mischaracterizes prior testimony as if -- as if it	
3 A -- in my life?		3 is to assume that she had wrote this document or	
4 Q Well, did you use the word "trickin'," was		4 admitted to writing this document.	
5 that part of your regular vernacular back in May		5 BY THE WITNESS:	
6 of 2000?		6 A I'm saying -- well, I recognize this	
7 MS. REED: I'm going to object to		7 as -- that it looks like my handwriting. I have	
8 relevance.		8 written things in all caps --	
9 BY THE WITNESS:		9 BY MS. ITCHHAPORIA:	
10 A I doubt it.		10 Q Okay.	
11 BY MS. ITCHHAPORIA:		11 A -- and I still don't have a recollection	
12 Q Okay. To be clear, this is a statement		12 of doing this document.	
13 that you drafted, right? The statement of Ashanti		13 Q Is it still your practice as an ASA, when	
14 Wright.		14 you're doing work or taking notes or drafting	
15 MS. REED: I'm going to object to		15 things in your writing, to write things in capital	
16 mischaracterizes prior testimony, as well as lack		16 letters?	
17 of foundation, calls for speculation.		17 MS. REED: I'm going to object to lack of	
18 BY THE WITNESS:		18 foundation, calls for speculation, as well as	
19 A I don't recall drafting it.		19 mischaracterizes prior testimony.	
20 BY MS. ITCHHAPORIA:		20 BY THE WITNESS:	
21 Q Okay. But this is --		21 A It's not a general practice.	
22 A I don't recall the meeting, and I don't		22 BY MS. ITCHHAPORIA:	
23 recall drafting it.		23 Q Back in May of 2000, did you know how to	
24 Q But this is your handwriting?		24 write in cursive?	
	222		224
1 MS. REED: I'm going to object to it calls		1 MS. REED: I'm going to object to	
2 for speculation, lack of foundation.		2 relevance, as well as lack of foundation, calls	
3 MR. COYNE: And asked and answered.		3 for speculation, form.	
4 BY THE WITNESS:		4 BY THE WITNESS:	
5 A It looks like my handwriting.		5 A Are you asking me if I knew how to write	
6 BY MS. ITCHHAPORIA:		6 in cursive back in May 2000?	
7 Q And you recognize what your handwriting		7 BY MS. ITCHHAPORIA:	
8 looks like, right?		8 Q Mm-hm.	
9 MS. REED: Same objections, and form.		9 A Yes, I did.	
10 BY THE WITNESS:		10 Q Okay.	
11 A I recognize it looks like my handwriting.		11 MS. REED: Same objections.	
12 BY MS. ITCHHAPORIA:		12 BY MS. ITCHHAPORIA:	
13 Q Has your handwriting changed in 20 years?		13 Q Were you trained as a Felony Review ASA	
14 MS. REED: I'm going to object to lack of		14 that one should write clearly and in capital	
15 foundation and relevance.		15 letters rather than cursive writing because	
16 MR. COYNE: And form.		16 cursive writing can sometimes be hard to read?	
17 BY THE WITNESS:		17 MS. REED: I'm going to object to lack of	
18 A I don't know if it's changed. I mean, I		18 foundation, calls for speculation, and form.	
19 don't know, in minor ways maybe.		19 BY THE WITNESS:	
20 BY MS. ITCHHAPORIA:		20 A I'm sorry. I really don't remember	
21 Q Was it your practice when you were taking		21 what -- you know, that -- I don't remember that	
22 handwritten statements in Felony Review to use		22 time. It was just a long time ago, and I don't	
23 capital letters throughout the statement?		23 remember -- you know, I just don't remember it.	
24 MS. REED: I'm going to object to lack of		24	

Transcript of Joanna Liotine-Leafblad

57 (225 to 228)

Conducted on July 7, 2022

<p style="text-align: right;">225</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q I want to take your attention down to this 3 paragraph where it says: "Ashanti states she has 4 been allowed to smoke when she wanted and that she 5 was interviewed at home in her own dining room." 6 Do you see that?</p> <p>7 A I do see that.</p> <p>8 Q Seeing it says she was interviewed at home 9 in her own dining room, does that refresh your 10 recollection about the location of where this 11 statement took place?</p> <p>12 MS. REED: I'm going to object to lack of 13 foundation, calls for speculation.</p> <p>14 BY THE WITNESS:</p> <p>15 A It indicates to me that the interview 16 happened in her dining room. I don't have a 17 recollection of her dining room.</p> <p>18 BY MS. ITCHHAPORIA:</p> <p>19 Q And then it goes on to say that: Drugs or 20 alcohol and gives this statement freely and 21 voluntarily.</p> <p>22 Do you see that?</p> <p>23 A I do.</p> <p>24 Q And so that's what Ashanti Wright told you</p>	<p style="text-align: right;">227</p> <p>1 BY THE WITNESS:</p> <p>2 A That is correct; I don't know how long it 3 took.</p> <p>4 BY MS. ITCHHAPORIA:</p> <p>5 Q And do you know how long it took you to 6 draft the statement?</p> <p>7 MS. REED: I'm going to object to form, 8 lack of foundation, calls for speculation, also 9 calls for conclusion as far as it insinuates that 10 she admitted to writing this document.</p> <p>11 BY THE WITNESS:</p> <p>12 A I don't know how long it took to draft 13 this document. I don't have any recollection of 14 it.</p> <p>15 BY MS. ITCHHAPORIA:</p> <p>16 Q Do you know when you were done with 17 drafting and reviewing this statement with Ashanti 18 Wright, do you know what time it was?</p> <p>19 MS. REED: Same objection, also asked and 20 answered.</p> <p>21 BY THE WITNESS:</p> <p>22 A I don't know what time it was because I 23 just don't have any recollection of this.</p> <p>24</p>
<p style="text-align: right;">226</p> <p>1 when you asked her if the statement was given 2 freely and voluntarily?</p> <p>3 MS. REED: I'm going to object to lack of 4 foundation, calls for speculation, form, and 5 hearsay.</p> <p>6 BY THE WITNESS:</p> <p>7 A I see that it's in the document. I don't 8 have a specific recollection of the conversation 9 or her dining room or anything else.</p> <p>10 BY MS. ITCHHAPORIA:</p> <p>11 Q You have no reason to dispute that that's 12 what she said?</p> <p>13 MS. REED: Same objections.</p> <p>14 BY THE WITNESS:</p> <p>15 A I have no reason to dispute what's in this 16 document.</p> <p>17 BY MS. ITCHHAPORIA:</p> <p>18 Q Okay. And I may have asked you this, I 19 apologize, but you don't know how long the 20 interview was of Ashanti Wright, correct?</p> <p>21 MS. REED: I'm going to object to asked 22 and answered, lack of foundation, calls for 23 speculation.</p> <p>24</p>	<p style="text-align: right;">228</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q Do you see the -- looking at Ashanti 3 Wright's statement, there's this fax message at 4 the top here -- or this, like, typewritten it says 5 5-28-2000, 10:51 p.m., and it says "From."</p> <p>6 A Yes.</p> <p>7 Q Do you know where that came from?</p> <p>8 A I do not.</p> <p>9 MS. REED: Object to lack of foundation.</p> <p>10 BY MS. ITCHHAPORIA:</p> <p>11 Q At the end of the statement, would you 12 have taken Ashanti Wright's statement with you, 13 the original?</p> <p>14 MS. REED: I'm going to object to lack of 15 foundation, calls for speculation, incomplete 16 hypothetical, and form.</p> <p>17 BY THE WITNESS:</p> <p>18 A I don't recall what I did. I don't recall 19 taking the statement. I don't recall what I -- 20 what would have been done with the statement. I 21 just don't remember.</p> <p>22 BY MS. ITCHHAPORIA:</p> <p>23 Q Was it your practice back in May of 2000 24 that when you go back to the Felony Review office,</p>

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58 (229 to 232)

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<p>229</p> <p>1 that you would fax the statement anywhere?</p> <p>2 MS. REED: I'm going to -- same</p> <p>3 objections, lack of foundation, speculation, form,</p> <p>4 as well as relevance.</p> <p>5 BY THE WITNESS:</p> <p>6 A I don't recall that there was a practice</p> <p>7 to fax anything anywhere.</p> <p>8 BY MS. ITCHHAPORIA:</p> <p>9 Q And so that was on May 28th. Was</p> <p>10 that -- taking the statement and interviewing Mary</p> <p>11 Curry and interviewing and taking the statement of</p> <p>12 Ashanti Wright, was that your only involvement in</p> <p>13 this case on May 28th, 2000?</p> <p>14 MS. REED: I'm going to object to lack of</p> <p>15 foundation, calls for speculation, form.</p> <p>16 BY THE WITNESS:</p> <p>17 A I really don't remember doing the case,</p> <p>18 and I don't remember the extent of my involvement</p> <p>19 in it.</p> <p>20 BY MS. ITCHHAPORIA:</p> <p>21 Q And we looked at some testimony, and it</p> <p>22 appears the next day on May 29th, 2000, that you</p> <p>23 went to the area to take the statement of Xavier</p> <p>24 Walker, correct?</p>	<p>231</p> <p>1 Do you remember looking at that testimony?</p> <p>2 MS. REED: I'm going to object to lack of</p> <p>3 foundation, calls for speculation, and hearsay.</p> <p>4 BY THE WITNESS:</p> <p>5 A You know what, if that's -- I don't recall</p> <p>6 which document it was that said that, but I know</p> <p>7 that I was asked about it earlier today.</p> <p>8 BY MS. ITCHHAPORIA:</p> <p>9 QOkay. I'm going to show you what was</p> <p>10 previously marked as Exhibit 3 to your deposition,</p> <p>11 which, if you look at the -- which is the</p> <p>12 transcript. And if you can look at the date here,</p> <p>13 it's the 2nd day of October 2001.</p> <p>14 Do you see that?</p> <p>15 A I do see that. I hadn't seen that page</p> <p>16 before.</p> <p>17 QOkay. And do you see the second page is</p> <p>18 the index, and it shows that you testified here on</p> <p>19 Page 56 on October --</p> <p>20 A I see that now, yes.</p> <p>21 QAnd then just looking at what I'll call</p> <p>22 CCSAO WALKER 000843 of the transcript, which is</p> <p>23 also 057, you were asked the question at Line 5:</p> <p>24 "QUESTION: Approximately 10:00 that</p>
<p>230</p> <p>1 MS. REED: I'm going to object to lack of</p> <p>2 foundation, calls for speculation.</p> <p>3 BY THE WITNESS:</p> <p>4 A If that's what -- if that's what the</p> <p>5 document you're looking at shows, then I can't</p> <p>6 dispute that. I don't see what you're looking at.</p> <p>7 And I don't have a recollection of this case and</p> <p>8 any work I did, if anything.</p> <p>9 BY MS. ITCHHAPORIA:</p> <p>10 Q Okay. Let me just show you what was</p> <p>11 previously marked as Exhibit 4, which is the</p> <p>12 transcribed statement -- videotaped statement</p> <p>13 confession of Xavier Walker.</p> <p>14 Do you see Exhibit 4 on your screen?</p> <p>15 A I do.</p> <p>16 Q Okay. And it's got a date -- it says:</p> <p>17 Video statement of Xavier Walker taken in an</p> <p>18 interview room, Area 4 headquarters, Chicago,</p> <p>19 Illinois, on May 29, 2000, at 11:43 p.m.</p> <p>20 Do you see that?</p> <p>21 A I do see that.</p> <p>22 Q Okay. And we looked at some testimony</p> <p>23 earlier where you testified that you got to the</p> <p>24 area at 10:00 p.m. on May 29th, 2000.</p>	<p>232</p> <p>1 evening, did you have occasion to arrive at Area 4</p> <p>2 Violent Crimes?</p> <p>3 "ANSWER: Yes, I did."</p> <p>4 Do you see that?</p> <p>5 A I do see that.</p> <p>6 Q You don't have a reason to dispute that</p> <p>7 time, do you?</p> <p>8 A I don't --</p> <p>9 MS. REED: I'm going to object to lack of</p> <p>10 foundation, calls for speculation, hearsay.</p> <p>11 BY THE WITNESS:</p> <p>12 A I do not have a reason to dispute that.</p> <p>13 BY MS. ITCHHAPORIA:</p> <p>14 Q You testified truthfully when you said</p> <p>15 that you got to the area at 10:00 that night,</p> <p>16 correct?</p> <p>17 MS. REED: I'm going to object to lack of</p> <p>18 foundation, calls for speculation. She said she</p> <p>19 did not remember giving this testimony.</p> <p>20 MS. ITCHHAPORIA: I think she can testify</p> <p>21 about whether or not she was truthful when she</p> <p>22 testified.</p> <p>23 MS. REED: If she can't remember it, my</p> <p>24 objection stands.</p>

Transcript of Joanna Liotine-Leafblad

59 (233 to 236)

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	233		235
1 BY MS. ITCHHAPORIA:		1 him?	
2 Q I can repeat the question, Ms. Leafblad,		2 A I don't know -- yeah, I don't know how	
3 if necessary.		3 long he was in custody. I don't remember whether	
4 A I don't remember testifying. I will say		4 I knew already or whether I had to ask. I don't	
5 that in my life, when I testify, I testify		5 remember it at all.	
6 truthfully.		6 Q Do you know how -- in May 2000, how long	
7 Q And then it says, also looking at that		7 the police could keep someone in custody before	
8 same page that:		8 they have to charge them or present -- or before	
9 "Approximately 10:15 that evening, did you		9 they had to have charges approved or present them	
10 have an opportunity to meet anyone you see in		10 to a judge?	
11 court today?		11 A I don't remember offhand.	
12 "ANSWER: Yes, I did."		12 Q On May 29th, 2000, when you got the	
13 Do you see that?		13 assignment, do you recall how you got the	
14 A I do see that.		14 assignment?	
15 Q So according to your testimony, you saw		15 MS. REED: I'm going to object to asked	
16 Xavier Walker at 10:15 on May 29, 2000, correct?		16 and answered, as well as relevance and -- not	
17 MS. REED: I'm going to object to lack of		17 relevance, I'm sorry, lack of foundation and	
18 foundation, calls for speculation, and hearsay.		18 speculation.	
19 BY THE WITNESS:		19 BY THE WITNESS:	
20 A That is what this transcript suggests.		20 A I don't remember how I got it.	
21 BY MS. ITCHHAPORIA:		21 BY MS. ITCHHAPORIA:	
22 Q Before you spoke to Xavier Walker on		22 Q Because you had worked on the case the day	
23 May 28th -- May 29th, 2000, sorry, did you know		23 before, on May 28th, was it the practice back in	
24 what time the police had apprehended him?		24 May of 2000 at Felony Review to assign the same	
	234		236
1 MS. REED: I'm going to object to lack of		1 Assistant State's Attorney to the case if there	
2 foundation and speculation.		2 was any work that needed to be done on it the next	
3 BY THE WITNESS:		3 day?	
4 A No.		4 MS. REED: I'm going to object to lack of	
5 BY MS. ITCHHAPORIA:		5 foundation and speculation.	
6 Q Did you know how long he had been in		6 BY THE WITNESS:	
7 custody before you spoke to him?		7 A I don't know if it was a practice, so I	
8 MS. REED: Same objections.		8 can't say -- I can't speak to that because I	
9 BY THE WITNESS:		9 wouldn't have been responsible for setting the	
10 A I don't remember if I would have known		10 practices of the entire unit.	
11 that or not.		11 And, again, I -- that's the extent of any	
12 BY MS. ITCHHAPORIA:		12 kind of recollection I have.	
13 Q Was that -- was it part of your practice		13 BY MS. ITCHHAPORIA:	
14 to make yourself aware of how long a suspect was		14 Q Do you know back in May of 2000 cases	
15 in custody before you spoke to them back in May		15 assigned to the Felony Review ASA sort of on a	
16 of 2000?		16 whoever's-next type of rotation, or you don't	
17 MS. REED: Same objections as well as		17 know?	
18 relevance.		18 MS. REED: I'm going to object to lack of	
19 BY THE WITNESS:		19 foundation, calls for speculation.	
20 A In general, I would inquire about it if I		20 BY THE WITNESS:	
21 didn't already know the answer, I suppose.		21 A I don't remember.	
22 BY MS. ITCHHAPORIA:		22 BY MS. ITCHHAPORIA:	
23 Q And, as you sit here today, you don't know		23 Q Okay. If you had known that Xavier Walker	
24 how long he was in custody before you spoke to		24 was in police custody for 24 hours, approximately,	

Transcript of Joanna Liotine-Leafblad

60 (237 to 240)

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	237		239
1 give or take, before he spoke to you -- before you 2 spoke to him, would that have concerned you? 3 MS. REED: I'm going to object to lack of 4 foundation, calls for speculation, incomplete 5 hypothetical, and form. 6 BY THE WITNESS: 7 A It does require me to guess or assume. I 8 don't remember exactly how long someone could be 9 in custody at that time. I don't think that -- I 10 know that it was more -- I know it was more than 11 24 hours, so I don't know -- I can't speak to what 12 I would have thought at that time.		1 Q And would this -- what we're looking at in 2 Exhibit 6, is this part of the Felony Review 3 folder? 4 MS. REED: I'm going to object to lack of 5 foundation, calls for speculation. 6 BY THE WITNESS: 7 A Well, it looks like it's been cut out, so 8 that's not what the folder looks like, but those 9 look like they could have been cut out of a Felony 10 Review folder.	
13 BY MS. ITCHHAPORIA: 14 Q Were you -- when you would work as a 15 Felony Review ASA back in May of 2000, would you 16 wear a watch?		11 BY MS. ITCHHAPORIA: 12 Q Okay. This is how it was produced, so 13 that's what I'm showing you.	
17 A I don't -- oh, God, I don't remember if I 18 wore a watch or not. 19 Q Did you have a cell phone back in May 20 of 2000 that you had with you when you were a 21 Felony Review ASA? 22 MS. REED: I'm going to object to 23 relevance. 24		14 And do you see where it says here: Video 15 29th May 2000, 2350. It says court reporter 16 Sandra Brennan. 17 Do you see that? 18 A I do. 19 Q Is that time when the video statement 20 would have started? 21 MS. REED: I'm going to object to lack of 22 foundation, calls for speculation. 23 BY THE WITNESS: 24 A I don't know. I don't remember what that	
1 BY THE WITNESS: 2 A Everybody didn't have cell phones at that 3 time, so I'm not sure if I had one or not. I 4 could have had one, but I, you know -- 5 BY MS. ITCHHAPORIA: 6 Q You don't remember? 7 A -- we didn't carry them everywhere like we 8 do now. 9 So I don't -- I can say they weren't 10 prevalent. You know, the cars had clocks in them. 11 I just -- I don't know. 12 Q I'm going to show you what we will mark as 13 Exhibit 6 to your deposition. 14 (WHEREUPON, Leafblad Exhibit No. 6 was 15 presented to the witness.) 16 MS. ITCHHAPORIA: And, for the record, 17 it's Bates-marked BS 828 through BS 330. I'm 18 looking at the first page of Exhibit 6. 19 BY MS. ITCHHAPORIA: 20 Q Do you recognize the handwriting on this 21 document that we're looking at, Exhibit 6? 22 A I do. 23 Q Is that your handwriting? 24 A It looks like my handwriting.	238	1 would mean. 2 BY MS. ITCHHAPORIA: 3 Q Okay. I'm just going to read this to you 4 and then ask you a couple questions. 5 It says: Statement Witness Detective 6 Pietryla and ASA Leafblad, J., statement witness. 7 Defendant Area 4 waived -- oh, no, I don't know 8 what that says. 9 It says "Defendant," and then do you know 10 what this says right after that? 11 MS. REED: I'm going to object to it calls 12 for speculation, lack of foundation. 13 BY THE WITNESS: 14 A I can answer that typically during that 15 time, "AOR" might have indicated advised of 16 rights. 17 BY MS. ITCHHAPORIA: 18 Q Okay. And I should actually ask you, but 19 this delta sign or the triangle that we're looking 20 at, does that -- does that stand for defendant? 21 MS. REED: Same objections. 22 BY THE WITNESS: 23 A That could be -- it could represent 24 defendant.	240

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61 (241 to 244)

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	241		243
1 BY MS. ITCHHAPORIA:		1 MS. REED: Yes.	
2 Q Okay.		2 MS. ITCHHAPORIA: Let's just see if she's	
3 A Like I said, I don't remember.		3 going to unfreeze.	
4 Q So: Defendant advised of rights and		4 MR. COYNE: There she is. Can you hear	
5 waived on 13th May 2000. Defendant was out		5 us, Joanna?	
6 getting high with Jovanie Long who he claims --		6 THE WITNESS: I can hear you now.	
7 who he calls Vani.		7 Everything froze --	
8 Do you see that?		8 BY MS. ITCHHAPORIA:	
9 A I see it.		9 Q Yeah --	
10 Q Okay. Did I read that correctly?		10 THE WITNESS: -- so I didn't hear	
11 A It looks like you did, yes.		11 anything --	
12 Q And it says: "Defendant said they ran out		12 BY MS. ITCHHAPORIA:	
13 of money and decided to go rob people coming to		13 Q It froze for us, too, and I think you were	
14 buy drugs on Ohio."		14 mid answer when it froze, so I'll -- I think I	
15 Do you see that?		15 asked you if I'm correct if you used "V" to stand	
16 A Yes.		16 for victim when you were in Felony Review?	
17 Q Did I read that correctly?		17 MS. REED: I'm going to object to lack of	
18 MS. REED: I'm going to object it calls		18 foundation, calls for speculation, calls for a	
19 for speculation.		19 conclusion.	
20 BY THE WITNESS:		20 BY THE WITNESS:	
21 A It looks to me like you read it correctly.		21 A Okay. I will say that the screen froze up	
22 BY MS. ITCHHAPORIA:		22 on me a little bit. It sounds like you asked me	
23 Q And then it says: "Defendant said Vani		23 if it was a general practice for me to use the	
24 had a gun. Defendant said he was lookout for		24 word "V" to represent victim when I was on Felony	
	242		244
1 Vani, watching his back and watching for police."		1 Review; is that correct?	
2 Do you see that?		2 BY MS. ITCHHAPORIA:	
3 A I see it.		3 Q That's correct.	
4 Q Okay. Did I read that correctly?		4 A In my general practice, I would sometimes	
5 MS. REED: Same --		5 do that.	
6 BY THE WITNESS:		6 Q So I think this says: "Victim drove up in	
7 A I think so.		7 his van and said" -- sorry. Let me start that	
8 MS. REED: -- objection.		8 again.	
9 BY MS. ITCHHAPORIA:		9 "Victim drove up in his van. Defendant	
10 Q Okay. And then it says "V" here. Does		10 said Vani got in van and held gun up to victim."	
11 "V" stand for victim?		11 Do you see that?	
12 MS. REED: Same objection, calls for		12 A I see it.	
13 speculation, lack of foundation.		13 Q Did I read that correctly?	
14 BY THE WITNESS:		14 MS. REED: Object to calls for	
15 A It could.		15 speculation.	
16 BY MS. ITCHHAPORIA:		16 BY THE WITNESS:	
17 Q Is that how you used "V" back in May		17 A As best I can tell, I think you did.	
18 of 2000 when you were on Felony Review?		18 BY MS. ITCHHAPORIA:	
19 MS. REED: Same objection, as well as		19 Q Okay. "Defendant said he saw Vani	
20 mischaracterizes prior testimony.		20 struggle with victim, and so defendant" -- "and so	
21 BY THE WITNESS:		21 defendant started towards van to hold victim so	
22 A I could have but, again, I mean it's --		22 Vani could get money."	
23 MS. ITCHHAPORIA: Ms. Leafblad froze for		23 Did I read that correctly?	
24 me. Did she freeze for anybody else?		24 MS. REED: I'm going to object to	

Transcript of Joanna Liotine-Leafblad

62 (245 to 248)

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	245		247
1	speculation.	1	Walker was completed?
2	BY THE WITNESS:	2	MS. REED: Same objections.
3	A From what I can see, it looks like you	3	BY THE WITNESS:
4	read it correctly.	4	A I don't know. The order in which the --
5	BY MS. ITCHHAPORIA:	5	something like this would be written really just
6	Q Okay. And then it says: "Victim ran out	6	depends on the time available. And I don't
7	of van and Vani shot him. Defendant said Vani	7	remember that -- I don't remember what was going
8	took money out of victim's pocket and they both	8	on at that time, and I don't remember doing this
9	ran."	9	case.
10	Do you see that?	10	BY MS. ITCHHAPORIA:
11	A I see it.	11	Q The, sort of, form that we're looking at,
12	Q Did I read that correctly?	12	the form, you know, where it's got this
13	MS. REED: Objection, speculation.	13	typed-writing statement, defendant number, is that
14	BY THE WITNESS:	14	information that would appear on the card stock
15	A I'm losing -- I lost your question again.	15	16 on the thin paper that would be inside the Felony
16	BY MS. ITCHHAPORIA:	16	Review review folder?
17	Q I said did I read that correctly?	17	MS. REED: I'm going to object -- same
18	MS. REED: Same objection.	18	objections, but I'm going to also add compound.
19	THE WITNESS: The screen's freezing.	19	BY THE WITNESS:
20	MS. ITCHHAPORIA: Oh, she's frozen for me,	20	A I don't remember. It could be either or
21	too.	21	both. I just don't recall.
22	BY MS. ITCHHAPORIA:	22	BY MS. ITCHHAPORIA:
23	Q Oh, there -- you're back.	23	Q Do you know if you completed any portions
24	The last question I said was did I read		
	246		248
1	that correctly?	1	of the Felony Review folder or the thin paper
2	MS. REED: Same objection.	2	inside for either Ashanti Wright or Mary Curry?
3	BY THE WITNESS:	3	MS. REED: I'm going to object to lack of
4	A It looks like you did.	4	foundation, calls for speculation, compound.
5	BY MS. ITCHHAPORIA:	5	BY THE WITNESS:
6	Q Okay. Looking at Exhibit 6, is this	6	A I don't remember.
7	something that you would have drafted after the	7	BY MS. ITCHHAPORIA:
8	videotaped statement had been completed of Xavier	8	Q Okay. So you got to -- we looked at your
9	Walker?	9	testimony. You said you got to the area around
10	MS. REED: I'm going to object to lack of	10	10:00. You started interviewing Xavier Walker at
11	foundation, calls for speculation,	11	10:15, and then I think you testified at the
12	mischaracterizes prior testimony.	12	12 motion -- pretrial motion that the interview
13	BY THE WITNESS:	13	13 lasted about 15 to 30 -- 15 to half-hour.
14	A The screen is freezing up on me again, so	14	Do you remember that testimony in the
15	as I understood the question, you're asking me if	15	15 motion to suppress?
16	this is something that I would have drafted if I	16	A I don't --
17	interviewed this person and put it into the Felony	17	MS. REED: I'm going to object to lack of
18	Review folder; is that correct?	18	foundation, calls for speculation, and hearsay.
19	BY MS. ITCHHAPORIA:	19	BY THE WITNESS:
20	Q That was not quite my question, so let me	20	A I don't remember testifying on the motion
21	ask you again.	21	to suppress. I did see the transcript, and I
22	I said would you have drafted this that	22	don't dispute what the transcript says.
23	we're looking at, Exhibit 6, after the	23	BY MS. ITCHHAPORIA:
24	statement -- the videotaped statement of Xavier	24	Q All right. Let me show it to you.

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63 (249 to 252)

Conducted on July 7, 2022

<p>1 I'm showing you what was previously marked 2 as Exhibit 3 to your deposition, and the question 3 here on 060 page of the transcript says: 4 "Approximately how long did you speak to 5 him for? 6 "ANSWER: Anywhere from 15 minutes to 7 half" -- "a half-hour." 8 Do you see that? 9 MS. REED: Same objections, as well as 10 asked and answered. 11 BY THE WITNESS: 12 A I do see it. 13 BY MS. ITCHHAPORIA: 14 Q And that was truthful testimony, correct? 15 MS. REED: Same objections, asked and 16 answered, lack of foundation, calls for 17 speculation, hearsay. 18 BY THE WITNESS: 19 A I would have testified truthfully. 20 BY MS. ITCHHAPORIA: 21 Q Okay. And so after you -- 22 A Everybody is freezing up on me again. 23 Q Oh, okay. Are we back? 24 A I'm sorry, everybody froze up on me again,</p>	<p>249</p> <p>1 foundation, calls for speculation. 2 BY THE WITNESS: 3 A I don't recall -- I don't recall that. I 4 don't recall my conversations -- any of my 5 conversations with Xavier Walker or anybody in 6 this case. 7 BY MS. ITCHHAPORIA: 8 Q We looked at this page earlier, but it was 9 on Page 61 of Exhibit 3, and you were asked here 10 at Line 3 -- sorry, actually Line 6: 11 "Did you have an opportunity to speak to 12 the defendant by yourself?" 13 And you answered: "Yes, I did." 14 Do you see that? 15 A I do. 16 Q So when you said you spoke to him by 17 yourself, that means you spoke to him outside the 18 presence of any police officer; is that right? 19 MS. REED: I'm going to object to lack of 20 foundation, calls for speculation, and hearsay. 21 BY THE WITNESS: 22 A Well, I mean, to that end, if that's what 23 the -- if that's what the questioner meant when 24 the question was asked at that time, then I</p>
<p>1 so I know that I missed some of what you said. 2 MR. COYNE: Can you see the screen? Can 3 you see the screen? 4 THE WITNESS: I think -- I see the screen, 5 yes. 6 BY MS. ITCHHAPORIA: 7 Q Okay. When you interviewed Xavier 8 Walker -- and I believe we looked at the motion to 9 suppress testimony -- you read him his rights; is 10 that right? 11 MS. REED: I'm going to object to lack of 12 foundation, calls for speculation, and hearsay. 13 BY THE WITNESS: 14 A Again, I don't have a specific 15 recollection of that day, but I don't dispute this 16 transcript. And I can say that I would have 17 testified truthfully, whether or not I recall it 18 today. So I don't dispute what the transcript 19 says. 20 BY MS. ITCHHAPORIA: 21 Q Did Xavier Walker ever complain to you 22 that you were the first person that read him his 23 rights? 24 MS. REED: I'm going to object to lack of</p>	<p>250</p> <p>1 suppose the answer would be -- that would be the 2 answer. 3 I don't recall specifically. 4 BY MS. ITCHHAPORIA: 5 Q Okay. Just looking at Line 21, it says: 6 "What did he indicate as far as" -- let me 7 start that again. 8 "What did he indicate as far as how he had 9 been treated by the police outside of the police 10 presence?" 11 Do you see that? 12 A I do. 13 Q And then you answered: "He indicated that 14 he had been treated fine. He didn't mention any 15 problems or anything." 16 Do you see that? 17 A I do. 18 Q And so that -- your testimony in response 19 to that question meant that you spoke to Xavier 20 Walker about how he had been treated outside the 21 presence of any police officers; is that correct? 22 A That's -- 23 MS. REED: I'm going to object to lack of 24 foundation, calls for speculation, and hearsay.</p>

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64 (253 to 256)

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<p>1 BY THE WITNESS:</p> <p>2 A That is what the transcript would</p> <p>3 indicate.</p> <p>4 BY MS. ITCHHAPORIA:</p> <p>5 Q And that was consistent with your practice</p> <p>6 as a Felony Review ASA, to talk to the suspect</p> <p>7 alone to determine how he'd been treated by the</p> <p>8 police, correct?</p> <p>9 MS. REED: Same objections, as well as</p> <p>10 mischaracterizes prior testimony.</p> <p>11 BY THE WITNESS:</p> <p>12 A I would try to do that if it was possible.</p> <p>13 BY MS. ITCHHAPORIA:</p> <p>14 Q And why would you try to (inaudible)</p> <p>15 suspect about treatment by the police without a</p> <p>16 police officer being present?</p> <p>17 MR. COYNE: Renew the --</p> <p>18 MS. REED: Same objection.</p> <p>19 MR. COYNE: Yeah, and to the witness,</p> <p>20 renew the earlier instruction as to Federal</p> <p>21 Rule 26 Work Product Doctrine.</p> <p>22 If you can answer that question without</p> <p>23 divulging your mental processes as they related to</p> <p>24 your work as a prosecutor and your decisions as a</p>	<p>253</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q Go ahead. I think that kind of got out.</p> <p>3 BY THE WITNESS:</p> <p>4 A Again, I would -- I would prefer not to</p> <p>5 answer that.</p> <p>6 Q Is that based on work product?</p> <p>7 A Work product.</p> <p>8 Q Were you trained to talk to witnesses</p> <p>9 about treatment outside of the police presence</p> <p>10 when you were in Felony Review?</p> <p>11 MS. REED: I'm going to object to lack of</p> <p>12 foundation, calls for speculation.</p> <p>13 BY THE WITNESS:</p> <p>14 A I don't remember our training if we had</p> <p>15 any at that time, so I don't recall if I would</p> <p>16 have been trained to do that or not.</p> <p>17 BY MS. ADEEYO:</p> <p>18 Q Okay. Looking at 059 of this exhibit,</p> <p>19 Exhibit 4. You were asked: "Who was present at</p> <p>20 the time you were speaking with him?"</p> <p>21 And you answered: "Detective Pietryla."</p> <p>22 Do you see that?</p> <p>23 A I do.</p> <p>24 Q Okay. And that was truthful testimony,</p>
<p>254</p> <p>1 prosecutor in a particular case -- i.e. such as</p> <p>2 this one -- then you can go ahead and answer the</p> <p>3 question.</p> <p>4 Otherwise I'd instruct you not to answer</p> <p>5 the question pursuant to Federal Rule 26 and the</p> <p>6 Federal Work Product Doctrine.</p> <p>7 BY THE WITNESS:</p> <p>8 A I'm going to choose not to answer the</p> <p>9 question.</p> <p>10 BY MS. ITCHHAPORIA:</p> <p>11 Q Okay. Based on work product?</p> <p>12 A Yes.</p> <p>13 Q Let me ask you this to see if you can</p> <p>14 answer it: Would one of the reasons be to ask a</p> <p>15 witness how he was treated when there's no police</p> <p>16 officer present so the witness would feel</p> <p>17 comfortable if he, in fact, did have a complaint</p> <p>18 about the police and --</p> <p>19 MR. COYNE: Same --</p> <p>20 MS. REED: Same objections.</p> <p>21 MR. COYNE: Sorry to interrupt, Misha, but</p> <p>22 same instruction.</p> <p>23 MS. REED: And same objections.</p> <p>24 MR. DWYER: Join.</p>	<p>256</p> <p>1 correct?</p> <p>2 MS. REED: I'm going to object to lack of</p> <p>3 foundation, calls for speculation, and hearsay.</p> <p>4 BY THE WITNESS:</p> <p>5 A I will say that I will testify truthfully,</p> <p>6 whether I recall that day or not.</p> <p>7 BY MS. ITCHHAPORIA:</p> <p>8 Q So that's truthful testimony that we just</p> <p>9 looked at, that question and answer?</p> <p>10 MS. REED: Same objection and asked and</p> <p>11 answered.</p> <p>12 BY THE WITNESS:</p> <p>13 A Whatever the -- again, I'm not disputing</p> <p>14 the transcript. And in terms of myself, I</p> <p>15 don't -- I would testify truthfully, so I can --</p> <p>16 I'm not disputing the transcript.</p> <p>17 BY MS. ITCHHAPORIA:</p> <p>18 Q And if another detective, for example,</p> <p>19 Detective Sanders or Detective Wright, had been in</p> <p>20 the interview room when you were interviewing</p> <p>21 Xavier Walker, you would have testified truthfully</p> <p>22 to that if that was, in fact, what happened?</p> <p>23 MS. REED: Same objection, calls for</p> <p>24 speculation, hearsay, lack of foundation, also</p>

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65 (257 to 260)

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<p>1 incomplete hypothetical and form.</p> <p>2 BY THE WITNESS:</p> <p>3 A Yeah, I don't know how to answer that</p> <p>4 question. I mean, if I was asked who was in the</p> <p>5 room, I suppose I would have answered with who was</p> <p>6 in the room.</p> <p>7 BY MS. ITCHHAPORIA:</p> <p>8 Q Okay. Well, if you look at -- just going</p> <p>9 down to 13 it says: "Where were you at the time</p> <p>10 you were speaking with him in Detective Pietryla's</p> <p>11 presence?"</p> <p>12 And you say: "Area 4 interview room."</p> <p>13 Do you see that?</p> <p>14 A Yes.</p> <p>15 Q So if there was anybody else in the room</p> <p>16 besides you and Detective Pietryla, you would have</p> <p>17 answered truthfully as to who else was there,</p> <p>18 correct?</p> <p>19 MS. REED: Objection, asked and answered</p> <p>20 and lack of foundation, calls for speculation,</p> <p>21 incomplete hypothetical, and form.</p> <p>22 BY THE WITNESS:</p> <p>23 A I suppose I would have.</p> <p>24</p>	<p>1 BY THE WITNESS:</p> <p>2 A I can say that my general practice would</p> <p>3 have been to offer the different forms of</p> <p>4 memorializing testimony. At that point, it would</p> <p>5 have been up to the individual what form, if any,</p> <p>6 of testimony was going to be done. I can tell you</p> <p>7 that in general. I don't have a specific</p> <p>8 recollection in terms of Mr. Walker.</p> <p>9 BY MS. ITCHHAPORIA:</p> <p>10 Q You have no reason to believe that you</p> <p>11 diverted from that practice as it relates to</p> <p>12 Mr. Walker?</p> <p>13 MS. REED: I'm going to object to it calls</p> <p>14 for speculation, incomplete hypothetical, lack of</p> <p>15 foundation, and form.</p> <p>16 BY THE WITNESS:</p> <p>17 A That is correct. I don't have reason to</p> <p>18 believe I would have varied from that. But,</p> <p>19 again, I -- I don't have reason to believe I would</p> <p>20 vary from that, no.</p> <p>21 BY MS. ITCHHAPORIA:</p> <p>22 Q Okay. And then after Mr. Walker chose to</p> <p>23 give a videotaped statement, you would have then</p> <p>24 gone out of the room and called the videographer;</p>
258	260
<p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q If Xavier Walker testified that multiple</p> <p>3 officers were in the room when you were in the</p> <p>4 room interviewing him, that would be inconsistent</p> <p>5 with what you testified to here in court on</p> <p>6 October 2001, agree?</p> <p>7 MS. REED: Same objections.</p> <p>8 MR. COYNE: And form.</p> <p>9 BY THE WITNESS:</p> <p>10 A Well, I suppose it would be, but I'm not</p> <p>11 responsible for Xavier Walker's testimony. So I'm</p> <p>12 telling -- you know, so if I testified to this,</p> <p>13 this is my testimony.</p> <p>14 BY MS. ITCHHAPORIA:</p> <p>15 Q So after your interview with Xavier Walker</p> <p>16 was over, you discussed with him about how to</p> <p>17 memorialize the statement, correct?</p> <p>18 A Again, I don't have a specific</p> <p>19 recollection of any conversations I had with him.</p> <p>20 Q If Xavier Walker said that you were the</p> <p>21 one that chose that he give a videotaped</p> <p>22 statement, that would be incorrect?</p> <p>23 MS. REED: I'm going to object to lack of</p> <p>24 foundation, calls for speculation, form.</p>	<p>1 is that right?</p> <p>2 MS. REED: I'm going to object to lack of</p> <p>3 foundation, calls for speculation, and</p> <p>4 mischaracterizes prior testimony.</p> <p>5 BY THE WITNESS:</p> <p>6 A The testimony in that transcript I believe</p> <p>7 says that I would have -- that I walked -- that I</p> <p>8 left the room and called the court reporter.</p> <p>9 BY MS. ITCHHAPORIA:</p> <p>10 Q And while you were waiting for the court</p> <p>11 reporter/videographer to come to the area, that's</p> <p>12 when you went back in and spoke to Xavier Walker</p> <p>13 alone based on the testimony that we looked at</p> <p>14 earlier?</p> <p>15 MS. REED: I'm going to object to lack of</p> <p>16 foundation, speculation, and hearsay.</p> <p>17 BY THE WITNESS:</p> <p>18 A I would have to -- again, I don't have an</p> <p>19 independent recollection of that, so if that's my</p> <p>20 testimony on that day back in -- when was it,</p> <p>21 2003, if that's --</p> <p>22 BY MS. ITCHHAPORIA:</p> <p>23 Q 2001.</p> <p>24 A 2001, then that was -- then that's the</p>
257	259
<p>1 incomplete hypothetical and form.</p> <p>2 BY THE WITNESS:</p> <p>3 A Yeah, I don't know how to answer that</p> <p>4 question. I mean, if I was asked who was in the</p> <p>5 room, I suppose I would have answered with who was</p> <p>6 in the room.</p> <p>7 BY MS. ITCHHAPORIA:</p> <p>8 Q Okay. Well, if you look at -- just going</p> <p>9 down to 13 it says: "Where were you at the time</p> <p>10 you were speaking with him in Detective Pietryla's</p> <p>11 presence?"</p> <p>12 And you say: "Area 4 interview room."</p> <p>13 Do you see that?</p> <p>14 A Yes.</p> <p>15 Q So if there was anybody else in the room</p> <p>16 besides you and Detective Pietryla, you would have</p> <p>17 answered truthfully as to who else was there,</p> <p>18 correct?</p> <p>19 MS. REED: Objection, asked and answered</p> <p>20 and lack of foundation, calls for speculation,</p> <p>21 incomplete hypothetical, and form.</p> <p>22 BY THE WITNESS:</p> <p>23 A I suppose I would have.</p> <p>24</p>	<p>1 BY THE WITNESS:</p> <p>2 A I can say that my general practice would</p> <p>3 have been to offer the different forms of</p> <p>4 memorializing testimony. At that point, it would</p> <p>5 have been up to the individual what form, if any,</p> <p>6 of testimony was going to be done. I can tell you</p> <p>7 that in general. I don't have a specific</p> <p>8 recollection in terms of Mr. Walker.</p> <p>9 BY MS. ITCHHAPORIA:</p> <p>10 Q You have no reason to believe that you</p> <p>11 diverted from that practice as it relates to</p> <p>12 Mr. Walker?</p> <p>13 MS. REED: I'm going to object to it calls</p> <p>14 for speculation, incomplete hypothetical, lack of</p> <p>15 foundation, and form.</p> <p>16 BY THE WITNESS:</p> <p>17 A That is correct. I don't have reason to</p> <p>18 believe I would have varied from that. But,</p> <p>19 again, I -- I don't have reason to believe I would</p> <p>20 vary from that, no.</p> <p>21 BY MS. ITCHHAPORIA:</p> <p>22 Q Okay. And then after Mr. Walker chose to</p> <p>23 give a videotaped statement, you would have then</p> <p>24 gone out of the room and called the videographer;</p>
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<p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q If Xavier Walker testified that multiple</p> <p>3 officers were in the room when you were in the</p> <p>4 room interviewing him, that would be inconsistent</p> <p>5 with what you testified to here in court on</p> <p>6 October 2001, agree?</p> <p>7 MS. REED: Same objections.</p> <p>8 MR. COYNE: And form.</p> <p>9 BY THE WITNESS:</p> <p>10 A Well, I suppose it would be, but I'm not</p> <p>11 responsible for Xavier Walker's testimony. So I'm</p> <p>12 telling -- you know, so if I testified to this,</p> <p>13 this is my testimony.</p> <p>14 BY MS. ITCHHAPORIA:</p> <p>15 Q So after your interview with Xavier Walker</p> <p>16 was over, you discussed with him about how to</p> <p>17 memorialize the statement, correct?</p> <p>18 A Again, I don't have a specific</p> <p>19 recollection of any conversations I had with him.</p> <p>20 Q If Xavier Walker said that you were the</p> <p>21 one that chose that he give a videotaped</p> <p>22 statement, that would be incorrect?</p> <p>23 MS. REED: I'm going to object to lack of</p> <p>24 foundation, calls for speculation, form.</p>	<p>1 is that right?</p> <p>2 MS. REED: I'm going to object to lack of</p> <p>3 foundation, calls for speculation, and</p> <p>4 mischaracterizes prior testimony.</p> <p>5 BY THE WITNESS:</p> <p>6 A The testimony in that transcript I believe</p> <p>7 says that I would have -- that I walked -- that I</p> <p>8 left the room and called the court reporter.</p> <p>9 BY MS. ITCHHAPORIA:</p> <p>10 Q And while you were waiting for the court</p> <p>11 reporter/videographer to come to the area, that's</p> <p>12 when you went back in and spoke to Xavier Walker</p> <p>13 alone based on the testimony that we looked at</p> <p>14 earlier?</p> <p>15 MS. REED: I'm going to object to lack of</p> <p>16 foundation, speculation, and hearsay.</p> <p>17 BY THE WITNESS:</p> <p>18 A I would have to -- again, I don't have an</p> <p>19 independent recollection of that, so if that's my</p> <p>20 testimony on that day back in -- when was it,</p> <p>21 2003, if that's --</p> <p>22 BY MS. ITCHHAPORIA:</p> <p>23 Q 2001.</p> <p>24 A 2001, then that was -- then that's the</p>

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66 (261 to 264)

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1 testimony.		1 MS. REED: I'm going to object to lack of	
2 Q Okay. I'll just show it to you so we'll		2 foundation, calls for speculation, and form.	
3 get a clean record. Exhibit 3.		3 BY THE WITNESS:	
4 Do you see it?		4 A I don't remember if I did -- I don't	
5 A Not yet.		5 remember if that was a common practice.	
6 Q Okay. Just read Line 3 through 9 on		6 BY MS. ITCHHAPORIA:	
7 Page 061 of Exhibit 3.		7 Q Okay.	
8 Okay. So somewhere -- so between the time		8 A I think it may have been a general	
9 of 10:45 when you were done interviewing Xavier		9 practice to give them an idea of what the video	
10 Walker and 11:43 when the videotaped statement		10 was going to be like in terms of question and	
11 began, you spoke to him alone according to your		11 answer, but I can't say specifically whether I	
12 testimony back in 2001; is that correct?		12 went through with him questioning and answering --	
13 A That is what the testimony indicates.		13 Q Okay.	
14 MS. REED: I'm going to --		14 A -- prior to the video statement. I can't	
15 BY MS. ITCHHAPORIA:		15 even -- I don't remember it, so, you know.	
16 Q Okay. And you --		16 Q Was it your practice to write an outline	
17 MS. REED: I'm sorry, can I get my		17 of the questions that you were going to ask the	
18 objection in for the record?		18 suspect during the videotaped statement before the	
19 I'm going to object to lack of foundation,		19 statement occurred?	
20 speculation, and hearsay.		20 MS. REED: I'm going to object to lack of	
21 BY MS. ITCHHAPORIA:		21 foundation, calls for speculation, and form.	
22 Q And if you look at Lines 14 through 16 it		22 BY THE WITNESS:	
23 says: "Would that be somewhere around 11:00 or		23 A I do not remember if I -- if I would write	
24 thereabouts?"		24 an outline. I don't remember that.	
	262		264
1 And then you say:		1 BY MS. ITCHHAPORIA:	
2 "ANSWER: Sometime around there."		2 Q Okay. Let me show you -- we're still	
3 Do you see that?		3 looking at Exhibit 3. I'm going to show you	
4 A I do see that.		4 Page 75 of Exhibit 3, Line 9.	
5 Q Okay. After you were done asking Xavier		5 "QUESTION: Now, prior to actually having	
6 Walker how he was treated, was it -- strike that.		6 Mr. Walker's statement videotaped, you have what	
7 After you were done asking Xavier Walker		7 amounts to as a trial run with him as to what he	
8 how he had been treated by the police, would you		8 was going to say?	
9 have done a trial run of the videotaped		9 "ANSWER: Yes.	
10 confession?		10 "QUESTION: You went over the questions	
11 MS. REED: I'm going to object to lack of		11 you were going to ask him, and he gave you the	
12 foundation, calls for speculation, confusing		12 answers he was going to give you?	
13 question, as well as incomplete hypothetical and		13 "ANSWER: That's correct.	
14 form.		14 "QUESTION: And then you videotaped the	
15 BY THE WITNESS:		15 statement; is that correct, the session?	
16 A I don't remember what I would have done.		16 "ANSWER: Right."	
17 I don't remember what I would have done at that		17 Do you see that?	
18 time.		18 A I do.	
19 BY MS. ITCHHAPORIA:		19 Q Does that refresh your recollection as to	
20 Q Was it your practice in May of 2000 when a		20 the trial run that you had with Xavier Walker?	
21 suspect was going to give a videotaped statement		21 MS. REED: I'm going to object to lack of	
22 to have a trial run where you ask the questions so		22 foundation, speculation, and hearsay.	
23 the suspect knows what to expect during the actual		23 BY THE WITNESS:	
24 videotaping of the statement?		24 A I don't dispute that that is what that	

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	265		267
1 transcript says. I don't have a specific memory 2 of that.		1 MS. ITCHHAPORIA: And, for the record, 2 this is Bates-marked Plaintiff Xavier Walker 3 005773 through Plaintiff Xavier Walker 005824.	
3 BY MS. ITCHHAPORIA:		4 BY MS. ITCHHAPORIA:	
4 Q Okay. When you did do trial run as a 5 matter of practice with the witness -- with a 6 suspect, was that -- were you asking questions 7 based on what you had learned earlier during the 8 interview?		5 Q Looking at the first page of Exhibit 7, do 6 you see it's a report of proceedings dated 7 November 4th, 2003?	
9 MS. REED: I'm going to object to lack of 10 foundation, calls for speculation, as well as 11 mischaracterizes prior testimony.		8 A I see that, yes.	
12 BY THE WITNESS:		9 Q In the case of People versus Xavier Wilson 10 and Jovanie Long; do you see that?	
13 A Again, I don't have a specific 14 recollection of this. I mean, looking at the 15 transcript, it gives me an -- you know, like, I 16 could see what I testified to, but I don't have an 17 active recollection of what I did, you know, each 18 time.		11 A Yes.	
19 So I guess if that's what I -- if that's 20 what the transcript says, it was possible, but I 21 don't know for sure because I just can't remember.		12 Q Okay. And then if you look at the second 13 page, it has you listed as a witness testifying 14 beginning on Page 35.	
22 BY MS. ITCHHAPORIA:		15 A Yes, I can see that.	
23 Q If it was your practice to do trial runs, 24 why would you do trial runs?		16 Q I'll take your attention to Page -- what 17 was the page?	
266		18 I'll take you to Page 42, transcript 19 PP 42. You were asked here at Line 16: 20 "QUESTION: The videographer arrived. At 21 that point, had you gone through anything with the 22 defendant?	
1 MS. REED: I'm going to object to -- 2 MR. COYNE: And that's -- 3 MS. REED: -- lack of foundation. 4 MR. COYNE: Joanna, same instruction as 5 before. Again, if you can answer that question 6 without divulging your decision-making and mental 7 processes with respect to your decisions in this 8 case, or any specific case for that matter, you 9 can answer.		23 "ANSWER: I did. I also went through the 24 questions I would ask him when the videotape was	
10 If you can't answer the question without 11 divulging your mental processes with respect to 12 your decisions as a prosecutor, then I would 13 instruct you not to answer the question pursuant 14 to Federal Rule 26 Work Product Doctrine.		268	
15 MS. REED: I'm also going to object to 16 lack of foundation, speculation, incomplete 17 hypothetical, and form.		1 rolling. 2 "QUESTION: Why did you tell the defendant 3 what questions you were going to ask? 4 "ANSWER: Because I didn't want him to be 5 caught by surprise. I wanted him to kind of see 6 what it would be like when we were doing the 7 video." 8 Do you see that?	
18 BY THE WITNESS:		9 A I do.	
19 A I just don't -- I don't remember.		10 Q And that was truthful testimony when you 11 testified in court in November 2003?	
20 BY MS. ITCHHAPORIA:		12 A Yes.	
21 Q Okay. Let me just show you what I'll mark 22 as Exhibit 7 your deposition.		13 MS. REED: I'm going to object to lack of 14 foundation, calls for speculation, and hearsay.	
23 (WHEREUPON, Leafblad Exhibit No. 7 was 24 presented to the witness.)		15 BY THE WITNESS:	
		16 A Yes.	
		17 BY MS. ITCHHAPORIA:	
		18 Q Is this one of the transcripts that you 19 scanned before your deposition today?	
		20 A I think so. I didn't get full 21 transcripts; I got portions of them, so -- but I 22 think so.	
		23 Q And the trial run is -- the purpose is to 24 ask him questions -- ask the defendant questions	

Transcript of Joanna Liotine-Leafblad

68 (269 to 272)

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	269		271
1 so he's not caught by surprise; it's not to feed 2 him information; is that right?		1 that also look like it's in your handwriting? 2 MS. REED: Same objection.	
3 MR. COYNE: Same --		3 BY THE WITNESS:	
4 MS. REED: I'm going to --		4 A It looks like it could be my handwriting.	
5 MR. COYNE: Same instruction as before to 6 the witness. If you need me to repeat the entire 7 instruction, I will; otherwise, the same 8 admonition applies to your answer to that 9 question.		5 BY MS. ITCHHAPORIA:	
10 MS. REED: I'm also going to object to 11 lack of foundation, speculation, and form. 12 BY THE WITNESS:		6 Q And at the top of this Exhibit 7 -- or 7 Exhibit 8, sorry, that we're looking at, it says 8 "Outline For Video." 9 Do you see that?	
13 A I don't have an answer outside of that 14 transcript. You know, I don't have a specific 15 recollection of it, and if that's what I testified 16 to, then that's what -- you know, if that's what 17 the testimony is, that's what it is.		10 A I do.	
18 BY MS. ITCHHAPORIA:		11 Q So was it your practice, if you recall, 12 back in May of 2000 when you were in Felony Review 13 to write down an outline of the questions that you 14 were going to ask the defendant during the 15 videotaped statement?	
19 Q You wouldn't, as a Felony Review ASA, feed 20 information to a suspect for purposes of getting a 21 statement from them, would you?		16 MS. REED: I'm going to object to lack of 17 foundation, speculation, as well as asked and 18 answered.	
22 MS. REED: I'm going to object to form, 23 incomplete hypothetical, as well as overly broad. 24		19 BY THE WITNESS:	
270		20 A I don't remember what my practice was in 21 the year 2000 about how I did things, and any time 22 during the year 2000 in terms of these videos.	
1 BY THE WITNESS:		23 I'm looking at what is entitled "Outline 24 For Video," and it's written out in writing that	
2 A I wouldn't feed anything to anybody. I 3 would want honest statements from people in 4 general. So I don't see how I would have done 5 that in Felony Review.		272	
6 BY MS. ITCHHAPORIA:		1 is similar to mine. I don't have a recollection 2 of it.	
7 Q I'll show you what we'll mark as Exhibit 8 8 to your deposition.		3 BY MS. ITCHHAPORIA:	
9 (WHEREUPON, Leafblad Exhibit No. 8 was 10 presented to the witness.)		4 Q Are the questions that we're looking at in 5 this outline for video in Exhibit 8, were they 6 based on what Xavier Walker had told you 7 previously during his interview?	
11 MR. COYNE: And, for the record, this is 12 Bates-marked Plaintiff Xavier Walker 2542 13 through 2543.		8 MS. REED: I'm going to object to lack of 9 foundation, speculation, hearsay.	
14 BY MS. ITCHHAPORIA:		10 BY THE WITNESS:	
15 Q And looking at the first page of the 16 document, and I'll give you a chance to read it, 17 can you tell me if this is in your handwriting.		11 A I don't know because I have no 12 recollection of it.	
18 MS. REED: I'm going to object to lack of 19 foundation, calls for speculation.		13 BY MS. ITCHHAPORIA:	
20 BY THE WITNESS:		14 Q Okay. Do you know how long the trial run 15 lasted with Xavier Walker?	
21 A It looks like it could be my handwriting.		16 MS. REED: I'm going to object to lack of 17 foundation, speculation, and hearsay as well as 18 mischaracterizes prior testimony.	
22 BY MS. ITCHHAPORIA:		19 BY THE WITNESS:	
23 Q And I'll just show the second page.		20 A I don't remember.	
24 Same question as to the second page: Does		21 BY MS. ITCHHAPORIA:	
		22 Q I'm going to show you what we'll mark as 23 Exhibit 9 to your deposition.	
		24	

Transcript of Joanna Liotine-Leafblad

69 (273 to 276)

Conducted on July 7, 2022

	273		275
1 (WHEREUPON, Leafblad Exhibit No. 9 was 2 presented to the witness.) 3 BY MS. ITCHHAPORIA: 4 Q For the record, it's Bates-marked 5 Plaintiff Xavier Walker 2541. 6 And do you recognize this document? 7 A I don't recognize it, but I can see what 8 it is. 9 Q Okay. And what is it? 10 A It's entitled "Consent to Videotape 11 Statement." 12 Q Is this a form that you used for 13 videotaped statements when you were in Felony 14 Review? 15 MS. REED: I'm going to object to lack of 16 foundation, speculation. 17 BY THE WITNESS: 18 A I don't remember what I did in -- I don't 19 remember what I did in 2000. 20 BY MS. ITCHHAPORIA: 21 Q Do you see where it says "Assistant 22 State's Attorney" where it's typed up and then 23 above there, there's a signature? 24 A I do see that.		1 A I do. 2 Q Did you ask Xavier Walker to sign this 3 consent to videotape his statement before the 4 statement began? 5 MS. REED: I'm going to object to lack of 6 foundation, calls for speculation, and hearsay. 7 BY THE WITNESS: 8 A I don't remember. I just don't remember 9 any conversations I had with him. 10 BY MS. ITCHHAPORIA: 11 Q Would it be your practice back in May 12 of 2000 in Felony Review to get the defendant to 13 sign the consent before the videotaped statement 14 began? 15 MS. REED: I'm going to object to lack of 16 foundation, speculation, as well as relevance, 17 incomplete hypothetical, and form. 18 BY THE WITNESS: 19 A I don't remember what the practice was 20 specifically with regard to video statements back 21 in 2000. 22 BY MS. ITCHHAPORIA: 23 Q Is this -- consent form, is that something 24 you would have come to the Area with back in May	
	274		276
1 Q Is that your signature where it says 2 "Joanna Leafblad" -- I think "MI Leafblad" or 3 "ML" -- 4 MS. REED: I'm going to -- 5 BY MS. ITCHHAPORIA: 6 Q -- "Leafblad"? 7 MS. REED: I'm going to object it calls 8 for speculation. 9 BY THE WITNESS: 10 A It looks like my signature. 11 BY MS. ITCHHAPORIA: 12 Q Okay. And it's dated May 29, 2000; do you 13 see that? 14 A I do see that. 15 Q And it's a consent [as read]: "The 16 following statement is about the robbery and 17 shooting death of Marek Majdak that occurred on 18 13th May 2000 at 1:00 a.m./1:14 a.m. at the 19 location of 4721 West Ohio, Chicago, Cook County, 20 Illinois. I understand that a video camera is in 21 the next room and that it will record everything I 22 say and do. Knowledge of all of this, I consent 23 to the videotaping of my statement." 24 Do you see that?		1 of 2000? 2 MS. REED: I'm going to object to asked 3 and answered, lack of foundation, calls for 4 speculation. 5 BY THE WITNESS: 6 A I don't remember. I don't dispute the 7 document exists; I just don't remember the process 8 or -- you know, or what we -- the process in terms 9 of video statements. And I don't remember my 10 conversations with Mr. Walker or anyone else. 11 BY MS. ITCHHAPORIA: 12 Q You have here in the consent form where it 13 says 13th May 2000 and the time, that's your 14 handwriting; is that correct? 15 MS. REED: I'm going to object to calls 16 for speculation, lack of foundation. 17 BY THE WITNESS: 18 A It looks like my handwriting. 19 BY MS. ITCHHAPORIA: 20 Q And then where it says "Robbery and 21 shooting death of Marek Majdak," that's also your 22 handwriting? 23 A It looks like -- 24 MS. REED: Same objections.	

Transcript of Joanna Liotine-Leafblad

70 (277 to 280)

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	277		279
1 BY THE WITNESS:		1 MS. REED: Objection, calls for	
2 A It looks like my handwriting.		2 speculation.	
3 BY MS. ITCHHAPORIA:		3 BY THE WITNESS:	
4 Q Okay. And then --		4 A It looks like my handwriting.	
5 MS. REED: Same objection.		5 BY MS. ITCHHAPORIA:	
6 BY MS. ITCHHAPORIA:		6 Q And this document, what is it entitled?	
7 Q Okay. Ms. Leafblad, just give a pause so		7 A "Openings Remarks For Videotaped and	
8 Counsel can object.		8 Court-Reported Statements."	
9 And the location of 4721 West Ohio,		9 Q Okay. Was this a form that you used as a	
10 Chicago, Cook County, Illinois, that was also in		10 matter of course when you were taking videotaped	
11 your handwriting?		11 statements from defendants or suspects?	
12 MS. REED: Same objections.		12 MS. REED: I'm going to object to lack of	
13 BY THE WITNESS:		13 foundation, calls for speculation.	
14 A It looks like my handwriting.		14 BY THE WITNESS:	
15 BY MS. ITCHHAPORIA:		15 A I really don't remember.	
16 Q Where did you get this information from		16 BY MS. ITCHHAPORIA:	
17 about the date, time, and location of the murder		17 Q Okay. Do you know if, as a matter of	
18 of Marek Majdak?		18 course when you were in felony review, was it your	
19 A I don't --		19 practice to bring a blank document like this when	
20 MS. REED: I'm going to object to lack of		20 you came to the detective area?	
21 foundation, calls for speculation.		21 MS. REED: Same objections.	
22 THE WITNESS: Sorry I keep answering		22 BY THE WITNESS:	
23 before the objection.		23 A I don't think it was a practice.	
24		24	
	278		280
1 BY THE WITNESS:		1 BY MS. ITCHHAPORIA:	
2 A I don't know.		2 Q Was this document provided to you by the	
3 BY MS. ITCHHAPORIA:		3 police, or was this a Cook County State's Attorney	
4 Q Is it reasonable to say that you got that		4 document?	
5 information either from speaking to a detective or		5 MS. REED: Same objections.	
6 from looking at police reports?		6 BY THE WITNESS:	
7 MS. REED: Same objection and form.		7 A I don't remember who generated it.	
8 BY THE WITNESS:		8 BY MS. ITCHHAPORIA:	
9 A That's possible, but I don't have a		9 Q Did you use a document like this in any	
10 specific recollection of that.		10 other videotaped statements?	
11 BY MS. ITCHHAPORIA:		11 MS. REED: Same objections, as well as	
12 Q Show you what we'll mark as Exhibit 10 to		12 relevance.	
13 your deposition.		13 BY THE WITNESS:	
14 (WHEREUPON, Leafblad Exhibit No. 10 was		14 A I would not remember that unless I could	
15 presented to the witness.)		15 see all the documentation related to every other	
16 MS. ITCHHAPORIA: For the record,		16 video statement I ever took.	
17 Exhibit 10 is Bates-marked Plaintiff Xavier Walker		17 BY MS. ITCHHAPORIA:	
18 2544 through 2547.		18 Q Did you fill this out, this opening	
19 BY MS. ITCHHAPORIA:		19 remarks for videotaped and court-reported	
20 Q Looking at the first page of this		20 statements that we're looking at as Exhibit 10,	
21 document, do you recognize it?		21 for the actual recording of Xavier Walker's	
22 A I don't recognize it.		22 statement started?	
23 Q Is the handwriting on Page 1 of Exhibit 10		23 MS. REED: I'm going to object to lack of	
24 your handwriting?		24 foundation, speculation.	

Transcript of Joanna Liotine-Leafblad

71 (281 to 284)

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	281		283
1 BY THE WITNESS:		1 Q And that was typed up, right?	
2 A I don't remember doing it.		2 A Yes, it's typed up -- it looks typed up.	
3 BY MS. ITCHHAPORIA:		3 Q You didn't type up this document when you	
4 Q Okay. So we kind of have here: "We are	5 were at the Area, did you, on May 29th, 2000?		
5 here to take the statement" all typed up. And	6 MS. REED: I'm going to object to lack of		
6 then there's handwriting. And then it says:	7 foundation, speculation.		
7 "Concerning the investigation" -- so there's,	8 BY THE WITNESS:		
8 like, typewrite -- typewritten stuff, and then	9 A I don't remember this document, so I don't		
9 there's handwritten stuff.	10 remember what I would have done and what I would		
10 Do you see that?	11 have not done.		
11 A I do.	12 BY MS. ITCHHAPORIA:		
12 Q And do you agree that this is also the	13 Q Was this document provided to you by the		
13 format in which the actual video-recorded	14 Cook County State's Attorney's Office because this		
14 statement of Xavier Walker, it follows the same	15 is the format they wanted you to follow when you		
15 format?	16 took a videotaped statement?		
16 A I have --	17 MS. REED: I'm going to object to lack of		
17 MS. REED: I'm going to object -- sorry.	18 foundation, speculation, asked and answered.		
18 I'm going to object to lack of foundation, calls	19 BY THE WITNESS:		
19 for speculation, and confusing.	20 A I don't remember who generated the		
20 BY THE WITNESS:	21 document.		
21 A I have not viewed the video, so I don't	22 BY MS. ITCHHAPORIA:		
22 know.	23 Q Okay. And then it says: "And before we		
23 BY MS. ITCHHAPORIA:	24 spoke I advised you of your constitutional rights;		
24 Q Counsel showed you earlier that we marked	24 is that correct" question.		
	282		284
1 as Exhibit 4 the transcribed -- the transcript of	1 Do you see that? That's also typed up?		
2 his statement.	2 A I do see that.		
3 Do you remember seeing that?	3 Q Okay. And there's some handwriting on the		
4 A I remember seeing it, yes.	4 second page of Exhibit 10. Does that also look		
5 Q And from what you remember from earlier in	5 like it's your handwriting?		
6 your deposition, can you tell me if that	6 MS. REED: Objection, calls for		
7 transcribed transcript of Xavier Walker's	7 speculation.		
8 statement -- videotaped statement followed the	8 BY THE WITNESS:		
9 same format that we're looking at here in this	9 A It looks like my handwriting.		
10 document entitled "Opening Remarks"?	10 BY MS. ITCHHAPORIA:		
11 MS. REED: I'm going to object to lack of	11 Q Okay. It says: "You told me about the		
12 foundation, calls for speculation, and hearsay.	12 robbery and shooting death of Marek Majdak. At		
13 BY THE WITNESS:	13 that time you told me on 13th May 2000, you were		
14 A I'm not sure. I would have to see them	14 out getting high with Jovanie "Vani" Long. You		
15 side by side to compare them.	15 ran out of money and decided to" -- do you know		
16 BY MS. ITCHHAPORIA:	16 what that says after "to"?		
17 Q Okay. I'll show you that in a second.	17 MS. REED: I'm going to object to lack of		
18 All right. So just going through this, it	18 foundation and speculation.		
19 says, like, here typewritten: "Before we spoke, I	19 BY THE WITNESS:		
20 explained that I am an Assistant State's Attorney,	20 A No, I don't know what it says.		
21 a lawyer, and prosecutor and not your lawyer; is	21 BY MS. ITCHHAPORIA:		
22 that correct?"	22 Q "And decided to" -- something -- "rob		
23 Do you see that?	23 people coming to buy drugs on Ohio."		
24 A I do.	24 And then it says: "Vani had a gun."		

Transcript of Joanna Liotine-Leafblad

72 (285 to 288)

Conducted on July 7, 2022

	285		287
1	Do you see that?	1	A -- I just --
2	A I see that.	2	Q Sorry. I didn't mean to cut you off. I
3	Q Okay. And then it says: "You were	3	apologize.
4	lookout for Vani, watching his back and watching	4	A That's okay. But I just don't -- I can't
5	for police."	5	tell you -- I don't remember, you know, what my
6	Do you see that?	6	thought process was or whatever because I just
7	A Yes.	7	don't remember the document.
8	Q And then it says: "V" -- which I think we	8	Q Sure. And I understand you don't have a
9	established before probably stands for victim --	9	recollection, but is it reasonable to say that
10	"drove up in his van. Vani got in and held gun up	10	this is based on what Xavier Walker said to you?
11	to victim."	11	Because you didn't just make this up out of whole
12	Do you see that?	12	cloth, did you?
13	A I do.	13	MS. REED: I'm going to object to the form
14	Q "You saw a struggle and started towards	14	of the question as well as leading, hearsay,
15	van to help" -- "to hold victim so Vani could get	15	speculation, lack of foundation.
16	16 money."	16	BY THE WITNESS:
17	Do you see that?	17	A I don't recall the document. I see what
18	A Yes.	18	18 is written on the document is consistent with
19	Q "Victim ran out of van and Vani shot him."	19	19 other -- with Xavier Walker's statements on other
20	Do you see that?	20	20 documents that I have been questioned on today.
21	A Yes.	21	BY MS. ITCHHAPORIA:
22	Q "And Vani took the money out of his pocket	22	Q And, to be clear, you wouldn't, as an ASA
23	23 and both" -- "and you both ran."	23	23 in Felony Review, just make things up and
24	Do you see that?	24	24 attribute them to defendants?
	286		288
1	A Yes.	1	MS. REED: I'm going to object to calls
2	Q Okay. And it's -- this is kind of like	2	for speculation as well as incomplete hypothetical
3	you're telling Xavier Walker what he told you	3	3 and form.
4	before; is that right? Because you're using --	4	BY THE WITNESS:
5	MS. REED: I'm going to object to lack of	5	A No, I would not make things up.
6	foundation, form, calls for speculation, and	6	BY MS. ITCHHAPORIA:
7	hearsay.	7	Q And then Page 3, does that also appear to
8	BY THE WITNESS:	8	have your handwriting?
9	A Again, I don't recall the conversation or	9	MS. REED: I'm going to object to
10	this document, so I really can't speak to why	10	speculation.
11	11 this -- this is written there for -- or for what	11	BY THE WITNESS:
12	purpose.	12	A I see the words on "Xavier Walker" on the
13	13 page. It looks like it could be my handwriting.	13	14 BY MS. ITCHHAPORIA:
14	Q When it says here: "At that time you told	15	Q Okay. Well, sorry, going just back to 2,
15	me," this is based on what Xavier Walker told you,	16	16 we have, like, the typed-out rights.
16	16 correct?	17	Do you see that?
17	MS. REED: Same objections.	18	A I do.
18	BY THE WITNESS:	19	Q And then Page 3, it says: "Xavier Walker,
19	19 A Again, I don't recall the conversation or	20	I asked you if you would agree to have your
20	this document, so whatever the words are on the	21	21 statement videotaped; is that correct?"
21	21 document are what they are. I don't dispute their	22	And then it says in parentheses: "A
22	22 existence --	23	23 refusal of the videotaped statement must be
23	23 BY MS. ITCHHAPORIA:	24	24 recorded in the court-reported or handwritten
24	Q All right --		

Transcript of Joanna Liotine-Leafblad

73 (289 to 292)

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	289		291
1 statement."		1 statement.	
2 Do you see that?		2 "QUESTION: After you viewed it, did it	
3 A I do.		3 contain substantially the same statement as he had	
4 Q Does that refresh your recollection as to		4 given when he was videotaped?	
5 who generated or where this document came from?		5 "ANSWER: Yes.	
6 MS. REED: I'm going to object to lack of		6 "QUESTION: Was that statement essentially	
7 foundation, calls for speculation, and hearsay.		7 substantially the same as the earlier oral	
8 BY THE WITNESS:		8 statement the defendant had given you?	
9 A It does not.		9 "ANSWER: Yes."	
10 BY MS. ITCHHAPORIA:		10 And then: "QUESTION: The video that you	
11 Q Okay. And then the last page says:		11 viewed after it was taken on May 29 of 2000, have	
12 "Closing remarks for videotaped statement."		12 you reviewed that since May of 2000?	
13 And then it says: "This now concludes the		13 "Yes.	
14 statement of Xavier Walker."		14 "QUESTION: When have you reviewed it?	
15 Is that -- "Xavier Walker," is that in		15 "ANSWER: Previous court proceedings, last	
16 your handwriting?		16 October, I believe, and then also today.	
17 MS. REED: Calls for speculation.		17 "QUESTION: And is that video the same or	
18 BY THE WITNESS:		18 substantially the same as when you viewed it back	
19 A It looks like it could be my handwriting.		19 on May 29th of 2000?	
20 BY MS. ITCHHAPORIA:		20 "ANSWER: Yes."	
21 Q Okay. The statement that we looked at,		21 Do you see that?	
22 the transcribed statement of Xavier Walker began		22 A I do see it.	
23 at 11:43 p.m. on May 29th, 2000. Do you know what		23 Q So that was truthful testimony that you	
24 time it ended?		24 did, in fact, review the videotaped statement	
	290		292
1 MS. REED: I'm going to object to lack of		1 confession of Xavier Walker before you testified	
2 foundation, calls for speculation.		2 in court in November of 2003 and in October	
3 BY THE WITNESS:		3 of 2001?	
4 A I do not.		4 MS. REED: I'm going to object to form,	
5 BY MS. ITCHHAPORIA:		5 lack of foundation, calls for speculation, and	
6 Q At some point before you testified in		6 hearsay.	
7 court, either in 2001 or 2003, you did have the		7 BY THE WITNESS:	
8 opportunity to review the videotaped statement of		8 A I see that that's what the transcript	
9 Xavier Walker; is that correct?		9 says. I don't have a specific recollection of	
10 MS. REED: I'm going to object to lack of		10 testifying, but I can tell you it was honest	
11 foundation, calls for speculation.		11 testimony.	
12 BY THE WITNESS:		12 BY MS. ITCHHAPORIA:	
13 A I can only assume. I don't remember.		13 Q Okay. And I'm going to show you what	
14 BY MS. ITCHHAPORIA:		14 we'll mark as Exhibit 11 to your deposition -- or	
15 Q Okay. Let me just show you your		15 I should say I'm going to try to show you.	
16 testimony.		16 Do you see anything on your screen yet,	
17 Just a second. Sorry.		17 ma'am?	
18 All right. I'm showing you what we		18 A I don't.	
19 previously marked as Exhibit 7 to your deposition		19 Q Do you see anything on your screen now?	
20 and it's your testimony from November of 2003.		20 A Yeah, I see your files.	
21 And on PP 43, you were asked: "After the		21 Q Oh, you see my files. Okay. Stop share.	
22 videotaped statement is then taken, what occurred?		22 All right. Let's try again.	
23 "ANSWER: After the videotaped statement		23 (WHEREUPON, Leafblad Exhibit No. 11 was	
24 was taken, I was able to review the videotaped		24 presented to the witness.)	

Transcript of Joanna Liotine-Leafblad

74 (293 to 296)

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	293		295
1 BY MS. ITCHHAPORIA:		1 MS. REED: Join objection.	
2 Q Do you see anything now on the video		2 BY THE WITNESS:	
3 screen?		3 A Yes, I saw the detective in the video.	
4 A Yes.		4 BY MS. ITCHHAPORIA:	
5 Q Do you see a video?		5 Q Did reviewing that portion of the video --	
6 A I do.		6 and I know I showed you 43 seconds or something	
7 Q Okay. So this is Exhibit 11, which is the		7 like that, 45 seconds -- does that refresh your	
8 videotaped statement confession of Xavier Walker		8 recollection about any aspect of the videotaped	
9 (inaudible) as Exhibit 11 that was provided in		9 statement confession of Xavier Walker or his	
10 response to subpoena from the Cook County State's		10 interview?	
11 Attorney's Office.		11 A No, I don't dispute -- no, I mean, I don't	
12 I'm just going to play a little bit for		12 dispute that the video was true, that I was there,	
13 you, and then I'll ask you some questions.		13 but I just don't -- no, I don't remember	
14 (Video played.)		14 anything -- I mean, I don't remember what	
15 MS. ITCHHAPORIA: Stopping the video at		15 documents I had in front of me.	
16 45 seconds in.		16 BY MS. ITCHHAPORIA:	
17 BY MS. ITCHHAPORIA:		17 Q Okay. And just showing you again	
18 Q Ms. Leafblad, was that you in the video we		18 Exhibit 10, do you see Xavier Walker here in the	
19 just looked at in Exhibit 11?		19 video?	
20 A Yes.		20 MS. REED: I'm going to object to lack of	
21 Q And did you see that there was some		21 foundation.	
22 document that you were reading from?		22 BY THE WITNESS:	
23 A Yes.		23 A Well, if -- I'm assuming it's him if this	
24 Q Do you know what document you were reading		24 is the -- if we're talking about his videotaped	
	294		296
1 from?		1 statement. And in the 45 seconds I watched, it	
2 MS. REED: I'm going to object to lack of		2 looks like I introduce him as Xavier Walker.	
3 foundation, calls for speculation.		3 BY MS. ITCHHAPORIA:	
4 BY THE WITNESS:		4 Q And do you see that he's wearing a white	
5 A No, I don't know what I was reading from.		5 T-shirt?	
6 BY MS. ITCHHAPORIA:		6 A He was wearing a white -- yes.	
7 Q Were you reading from that opening remarks		7 Q Was he wearing that T-shirt when you also	
8 document that we looked at, Exhibit 10?		8 interviewed him before the videotaped statement	
9 MS. REED: Same objections, as well as		9 confession started?	
10 leading.		10 MS. REED: I'm going to object to lack of	
11 BY THE WITNESS:		11 foundation, calls for speculation.	
12 A I don't know what documents I was reading		12 BY THE WITNESS:	
13 from.		13 A I don't remember what he was wearing.	
14 BY MS. ITCHHAPORIA:		14 BY MS. ITCHHAPORIA:	
15 Q Okay. And looking at that video and		15 Q Okay. Do you know if he was wearing that	
16 seeing -- you saw Xavier Walker in that video?		16 same white T-shirt throughout your interactions	
17 A I did --		17 with him?	
18 MS. REED: I'm going to object to lack of		18 MS. REED: Same --	
19 foundation.		19 BY THE WITNESS:	
20 BY MS. ITCHHAPORIA:		20 A I don't remember.	
21 Q And did you also see Detective Pietryla in		21 MS. REED: -- objections.	
22 the videotape that we just looked at marked as		22 THE WITNESS: Sorry.	
23 Exhibit 11?		23 BY MS. ITCHHAPORIA:	
24 MR. COYNE: Objection, foundation.		24 Q When you interviewed Xavier Walker, he	

Transcript of Joanna Liotine-Leafblad

75 (297 to 300)

Conducted on July 7, 2022

	297		299
1	wasn't wearing, like, a Cook County inmate	1	MS. REED: Same objections.
2	uniform, was he?	2	BY THE WITNESS:
3	MS. REED: Same objections.	3	A The videotaped statement took place in
4	BY THE WITNESS:	4	whatever room that was. I don't know what they
5	A I don't remember what he was wearing.	5	called it. I can't remember what they called --
6	BY MS. ITCHHAPORIA:	6	if it was an interview room or a video room or
7	Q Okay. The white T-shirt that he was	7	conference room. I don't know what they called
8	wearing in the video had sleeves on it, is that --	8	it.
9	short sleeves; is that correct?	9	BY MS. ITCHHAPORIA:
10	A I don't remember -- I mean, I think so. I	10	Q Was it a different room than the room
11	wasn't -- I wasn't paying much attention to what	11	where you had interviewed Xavier Walker?
12	he was wearing. And I -- you know, whatever he	12	MS. REED: Same objections.
13	had on in the video is what he had on.	13	BY THE WITNESS:
14	So I can watch it again and, you know,	14	A I don't have an independent recollection,
15	verify his clothing.	15	but according to what I have seen today, the
16	Q I can show you a still shot of it. Do you	16	interview room we were in had bars -- had a rail
17	see that he was wearing a white T-shirt?	17	on the wall and a bench, and we had to bring in
18	A I see that he's wearing a white shirt. I	18	18 chairs.
19	can't tell if it's short-sleeved or not because	19	The table -- the room in the video had a
20	his sleeves go beyond the table.	20	table. I didn't see that there were bars on the
21	Q Okay. I think there's a point where you	21	21 wall or a bench that was attached to the wall.
22	can see his elbows, but I'll just show you your	22	22 From that, I can only assume that it was a
23	testimony.	23	23 different room.
24	When you were interacting with Xavier	24	
		298	
1	Walker, did you ever see any footprints on that	1	BY MS. ITCHHAPORIA:
2	white T-shirt that we just looked at?	2	Q Okay. And based on what your recollection
3	MS. REED: I'm going to object to lack of	3	is or your practice, do you know where the
4	foundation, calls for speculation.	4	videographer would have been when this statement
5	BY THE WITNESS:	5	was being recorded?
6	A I don't remember the interview.	6	MS. REED: Same objections.
7	BY MS. ITCHHAPORIA:	7	BY THE WITNESS:
8	Q Okay. Had you been to Area 4 prior to	8	A I don't remember, but from what I've been
9	May 29th, 2000 -- or May 28th, 2000, I should say?	9	shown today in terms of exhibits, the videographer
10	A For what purpose?	10	10 was outside of the room.
11	Q For Felony Review purposes.	11	BY MS. ITCHHAPORIA:
12	A It's likely that I would -- it's likely	12	Q So there was -- is there, like, a
13	that I was. I know that I was there more than	13	partition between the room where the videographer
14	once during the time I was on Felony Review.	14	14 was and where you all were during the actual
15	Q The interview of Xavier Walker would have	15	15 taping of the statement?
16	taken place in an interview room; is that right?	16	MS. REED: Same objections.
17	MS. REED: Objection, lack of foundation,	17	BY THE WITNESS:
18	calls for speculation.	18	A I don't remember. I can -- you know, I
19	BY THE WITNESS:	19	vaguely remember it was probably different in
20	A What I've seen today indicates that it was	20	20 every place we were because each place is built
21	in an interview room.	21	21 differently, but I can't say what it was like in
22	BY MS. ITCHHAPORIA:	22	22 Area 4.
23	Q And then is the videotaped-statement-taken	23	BY MS. ITCHHAPORIA:
24	place somewhere besides the interview room?	24	Q Could you see the court reporter or the
		300	
	297		299
1	wASN'T WEARING, LIKE, A COOK COUNTY INMATE	1	MS. REED: SAME OBJECTIONS.
2	UNIFORM, WAS HE?	2	BY THE WITNESS:
3	MS. REED: SAME OBJECTIONS.	3	A THE VIDEOTAPE STATEMENT TOOK PLACE IN
4	BY THE WITNESS:	4	WHATEVER ROOM THAT WAS. I DON'T KNOW WHAT THEY
5	A I DON'T REMEMBER WHAT HE WAS WEARING.	5	CALLED IT. I CAN'T REMEMBER WHAT THEY CALLED --
6	BY MS. ITCHHAPORIA:	6	IF IT WAS AN INTERVIEW ROOM OR A VIDEO ROOM OR
7	Q Okay. The white T-shirt that he was	7	CONFERENCE ROOM. I DON'T KNOW WHAT THEY CALLED
8	wearing in the video had sleeves on it, is that --	8	IT.
9	short sleeves; is that correct?	9	BY MS. ITCHHAPORIA:
10	A I DON'T REMEMBER -- I MEAN, I THINK SO. I	10	Q WAS IT A DIFFERENT ROOM THAN THE ROOM
11	WASN'T -- I WASN'T PAYING MUCH ATTENTION TO WHAT	11	WHERE YOU HAD INTERVIEWED XAVIER WALKER?
12	HE WAS WEARING. AND I -- YOU KNOW, WHATEVER HE	12	MS. REED: SAME OBJECTIONS.
13	HAD ON IN THE VIDEO IS WHAT HE HAD ON.	13	BY THE WITNESS:
14	SO I CAN WATCH IT AGAIN AND, YOU KNOW,	14	A I DON'T HAVE AN INDEPENDENT RECOLLECTION,
15	VERIFY HIS CLOTHING.	15	BUT ACCORDING TO WHAT I HAVE SEEN TODAY, THE
16	Q I can show you a still shot of it. Do you	16	INTERVIEW ROOM WE WERE IN HAD BARS -- HAD A RAIL
17	see that he was wearing a white T-shirt?	17	ON THE WALL AND A BENCH, AND WE HAD TO BRING IN
18	A I SEE THAT HE'S WEARING A WHITE SHIRT. I	18	18 CHAIRS.
19	CAN'T TELL IF IT'S SHORT-SLEEVED OR NOT BECAUSE	19	THE TABLE -- THE ROOM IN THE VIDEO HAD A
20	HIS SLEEVES GO BEYOND THE TABLE.	20	TABLE. I DIDN'T SEE THAT THERE WERE BARS ON THE
21	Q Okay. I think there's a point where you	21	21 WALL OR A BENCH THAT WAS ATTACHED TO THE WALL.
22	can see his elbows, but I'll just show you your	22	22 FROM THAT, I CAN ONLY ASSUME THAT IT WAS A
23	testimony.	23	23 DIFFERENT ROOM.
24	When you were interacting with Xavier	24	
		298	
1	WALKER, DID YOU EVER SEE ANY FOOTPRINTS ON THAT	1	BY MS. ITCHHAPORIA:
2	WHITE T-SHIRT THAT WE JUST LOOKED AT?	2	Q Okay. AND BASED ON WHAT YOUR RECOLLECTION
3	MS. REED: I'M GOING TO OBJECT TO LACK OF	3	IS OR YOUR PRACTICE, DO YOU KNOW WHERE THE
4	FOUNDATION, CALLS FOR SPECULATION.	4	VIDEOPHOTOGRAPHER WOULD HAVE BEEN WHEN THIS STATEMENT
5	BY THE WITNESS:	5	WAS BEING RECORDED?
6	A I DON'T REMEMBER THE INTERVIEW.	6	MS. REED: SAME OBJECTIONS.
7	BY MS. ITCHHAPORIA:	7	BY THE WITNESS:
8	Q Okay. Had you been to Area 4 prior to	8	A I DON'T REMEMBER, BUT FROM WHAT I'VE BEEN
9	May 29th, 2000 -- or May 28th, 2000, I should say?	9	SHOWN TODAY IN TERMS OF EXHIBITS, THE VIDEOPHOTOGRAPHER
10	A FOR WHAT PURPOSE?	10	10 WAS OUTSIDE OF THE ROOM.
11	Q For Felony Review purposes.	11	BY MS. ITCHHAPORIA:
12	A IT'S LIKELY THAT I WOULD -- IT'S LIKELY	12	Q So there was -- is there, like, a
13	THAT I WAS. I KNOW THAT I WAS THERE MORE THAN	13	partition between the room where the videographer
14	ONCE DURING THE TIME I WAS ON FELONY REVIEW.	14	14 was and where you all were during the actual
15	Q The interview of Xavier Walker would have	15	15 taping of the statement?
16	taken place in an interview room; is that right?	16	MS. REED: SAME OBJECTIONS.
17	MS. REED: Objection, lack of foundation,	17	BY THE WITNESS:
18	calls for speculation.	18	A I DON'T REMEMBER. I CAN -- YOU KNOW, I
19	BY THE WITNESS:	19	VAGUELY REMEMBER IT WAS PROBABLY DIFFERENT IN
20	A WHAT I'VE SEEN TODAY INDICATES THAT IT WAS	20	20 EVERY PLACE WE WERE BECAUSE EACH PLACE IS BUILT
21	IN AN INTERVIEW ROOM.	21	21 DIFFERENTLY, BUT I CAN'T SAY WHAT IT WAS LIKE IN
22	BY MS. ITCHHAPORIA:	22	22 AREA 4.
23	Q And then is the videotaped-statement-taken	23	BY MS. ITCHHAPORIA:
24	place somewhere besides the interview room?	24	Q Could you see the court reporter or the
		300	

Transcript of Joanna Liotine-Leafblad

76 (301 to 304)

Conducted on July 7, 2022

	301		303
1 slash videographer Sandra Brennan during the 2 actual taping?		1 foundation, speculation, and asked and answered.	
3 MS. REED: Same objections, as well as 4 mischaracterizes prior testimony.		2 BY THE WITNESS:	
5 BY THE WITNESS:		3 A I'm sorry, I don't understand what the 4 question was.	
6 A I don't remember.		5 BY MS. ITCHHAPORIA:	
7 BY MS. ITCHHAPORIA:		6 Q Did you see any other detectives during 7 the actual recording of the videotaped statement 8 of Xavier Walker other than Detective Pietryla?	
8 Q Okay. How would you have communicated 9 with the videographer Sandra Brennan either before 10 or after the statement?		9 MS. REED: Same --	
11 MS. REED: Same objections.		10 BY THE WITNESS:	
12 BY MS. ITCHHAPORIA:		11 A In the 45 seconds --	
13 Q If she wasn't in the same room, I should 14 say.		12 MS. REED: -- objections.	
15 MS. REED: Same objections and form.		13 THE WITNESS: Sorry.	
16 BY THE WITNESS:		14 BY THE WITNESS:	
17 A I don't remember, but I can assume based 18 on the documents you have shown me that the 19 statements said at the end would indicate that it 20 was the -- that the testimony would be over or 21 that the statement would be over. So that could 22 be a way. But I don't know. I don't have a 23 recollection of what we did specifically.		15 A In the 45 seconds that we watched, I did 16 not see any other detectives in there.	
24		17 BY MS. ITCHHAPORIA:	
	302	18 Q Okay. And what about based on what you 19 recall? Which I think I know your answer, but I'm 20 going to go ahead and ask you anyway.	
1 BY MS. ITCHHAPORIA:		21 A Yeah, I --	
2 Q Do you remember if the rooms were set up 3 so that -- during the videotaped statement so that 4 the three of you were on one side and then there 5 was a glass window and then the court reporter was 6 on the other side?		22 MS. REED: Objection, lack of foundation, 23 calls for speculation.	
7 MS. REED: I'm going to object to form, 8 compound, lack of foundation, calls for 9 speculation.		24	
10 BY THE WITNESS:			304
11 A I don't remember specifically.		1 BY THE WITNESS:	
12 BY MS. ITCHHAPORIA:		2 A I don't remember.	
13 Q Okay. Were there any other detectives 14 that were in the room with the videographer when 15 the statement was being recorded?		3 BY MS. ITCHHAPORIA:	
16 MS. REED: I'm going to object to lack of 17 foundation, calls for speculation.		4 Q If there were any other detectives, would 5 you -- that were present for the recording of the 6 statement, would you have documented it somewhere, 7 whether it was on the videotape or in the 8 documents that we previously looked at that were 9 marked Exhibit 10 or 9 or 8?	
18 BY THE WITNESS:		10 MS. REED: I'm going to object to lack of 11 foundation, calls for speculation, incomplete 12 hypothetical, and form.	
19 A I don't remember if there was.		13 BY THE WITNESS:	
20 BY MS. ITCHHAPORIA:		14 A If there were other detectives present for 15 the video, it would have been apparent from the 16 video.	
21 Q At any point during the videotaped 22 statement of Xavier Walker, did you see any other 23 detectives other than Detective Pietryla?		17 BY MS. ITCHHAPORIA:	
24 MS. REED: I'm going to object to lack of		18 Q Okay. I'm going to show you...	
		19 Do you see a transcript in front of you?	
		20 A I do.	
		21 Q This is what we marked previously as 22 Exhibit 3. And I'm just going to show you Page 68 23 of the transcript marked Exhibit 3, Line 22.	
		24 "QUESTION: The shirt that the defendant	

Transcript of Joanna Liotine-Leafblad

77 (305 to 308)

Conducted on July 7, 2022

	305		307
1	is wearing in your interview has sleeves to it; is	1	this looks like this is the transcript of my
2	that correct?	2	testimony.
3	"ANSWER: Yes, it does.	3	Q Okay. And then you were asked on Page 69
4	"QUESTION: White shirt; is that correct?	4	of Exhibit 3:
5	"ANSWER: Yes, it is.	5	"QUESTION: You indicated you never
6	QUESTION: At any time did you see any	6	observed any injury to his right wrist; is that
7	markings or in the videotape any markings of	7	correct?
8	footprints or shoe prints or a boot print?	8	"ANSWER: Yes."
9	"ANSWER: No, I did not."	9	And then you were asked: "QUESTION: When
10	Do you see that?	10	he coughs, do you see any injuries at his right
11	A I do.	11	11 wrist at approximately 227 here right now?
12	Q And that's truthful testimony, correct?	12	"ANSWER: No, I don't see any marks on his
13	MS. REED: I'm going to object it calls	13	13 wrist."
14	for speculation, hearsay, lack of foundation, and	14	Do you see that?
15	form.	15	A Yes.
16	BY THE WITNESS:	16	Q And that was also truthful testimony,
17	A If it is my testimony, it is truthful.	17	17 correct?
18	BY MS. ITCHHAPORIA:	18	MS. REED: Objection, calls for
19	Q Okay. And this is your testimony,	19	speculation, lack of foundation, and hearsay as
20	correct?	20	20 well as form.
21	MS. REED: Same objections.	21	BY THE WITNESS:
22	BY THE WITNESS:	22	A Yes, it would have been truthful.
23	A I see Q and A, so I'm assuming that this	23	BY MS. ITCHHAPORIA:
24	is the same transcripts that we've been looking	24	Q So it looks like you're testifying here
	306		308
1	at. And, in that case, if it's my testimony, it's	1	that when you were interacting with him, that you
2	truthful.	2	never observed any injury to his right wrist; is
3	BY MS. ITCHHAPORIA:	3	3 that correct?
4	Q Okay. So we have a clear record, I'm	4	MS. REED: Objection, lack of foundation,
5	going to show you the first page of Exhibit 3,	5	calls for speculation, hearsay and form.
6	which says the 2nd day of October 2001.	6	BY THE WITNESS:
7	And then the second page shows you in the	7	A Yes, it appears to be the case.
8	index starting on Page 56.	8	BY MS. ITCHHAPORIA:
9	And then Page 56 shows that you were sworn	9	Q And then it looks like you were shown,
10	in.	10	when you were testifying in court, some portion of
11	Do you see that?	11	11 the videotaped statement that we just looked at
12	A I do.	12	12 that was Bates-marked -- I'm sorry, that was
13	Q Okay. And so this is your testimony that	13	13 marked as Exhibit 11, and you were asked on the
14	we're looking at that we just looked at on Page 68	14	14 videotape if you could see any injuries on Xavier
15	of Exhibit 3, correct?	15	15 Walker's right wrist, and you said you couldn't;
16	MS. REED: Same objections.	16	16 is that correct?
17	BY MS. ITCHHAPORIA:	17	MS. REED: Same objections.
18	Q Did we get an answer?	18	BY THE WITNESS:
19	A You're asking me if it's correct that	19	A That is what the transcript says, yes.
20	you're showing me the transcript of my testimony?	20	BY MS. ITCHHAPORIA:
21	Q Yes, because you qualified it before, so I	21	Q Okay. Do you recall that when you were in
22	just wanted you to see that it was your	22	22 court in 2001 that you were shown portions of the
23	transcript.	23	23 videotaped statement confession of Xavier Walker
24	A From -- from what you've shown me, yes,	24	24 while you were testifying?

Transcript of Joanna Liotine-Leafblad

78 (309 to 312)

Conducted on July 7, 2022

	309		311
1	MS. REED: I'm going to --	1	you see any injury at the right wrist at the time
2	BY THE WITNESS:	2	it's exposed 6 minutes and 41 seconds into the
3	A I do not --	3	interview?
4	MS. REED: I'm going to object to lack of	4	"ANSWER: No, I didn't see anything on his
5	foundation and calls for speculation.	5	wrist.
6	BY THE WITNESS:	6	"QUESTION: About 7:16, do you see
7	A I do not recall that.	7	anything on his left wrist, motions of his left
8	BY MS. ITCHHAPORIA:	8	hand?
9	Q Okay. Do you -- do you see here on	9	"ANSWER: No, I don't see anything on his
10	Page 69 of Exhibit 3 you were also asked:	10	left hand."
11	"Approximately five minutes into your conversation	11	Do you see that?
12	with Xavier Walker, when they do a close-up of his	12	A Yes.
13	face, do you observe anything during the interview	13	Q Okay. And that was also truthful
14	or at any time that indicates he was tired or	14	testimony?
15	needed sleep?	15	MS. REED: I'm going to object to lack of
16	"ANSWER: No, I did not."	16	foundation, calls for speculation, hearsay, and
17	Do you see that?	17	form.
18	A Yes.	18	BY THE WITNESS:
19	Q That's also truthful testimony, correct?	19	A It was truthful testimony.
20	MS. REED: I'm going to object to lack of	20	BY MS. ITCHHAPORIA:
21	foundation, calls for speculation, form, and	21	Q So it looks like, according to your
22	hearsay.	22	testimony in court in October 2001, that you were
23	BY THE WITNESS:	23	shown a videotaped statement of Xavier Walker at
24	A I testified truthfully.	24	6 minutes and 41 seconds, and you were asked to
	310		312
1	BY MS. ITCHHAPORIA:	1	make an observation of his right wrist, and you
2	Q And do you agree that you were shown about	2	didn't see any injury to his right wrist, agree?
3	five minutes of the videotaped statement and you	3	MS. REED: Same objections.
4	were shown the close-up of Xavier Walker's face	4	BY THE WITNESS:
5	during the testimony when you testified in court	5	A That is what the transcript says.
6	in October 2001?	6	BY MS. ITCHHAPORIA:
7	MS. REED: Same objections.	7	Q Okay. And then also when you were in
8	BY THE WITNESS:	8	court, you were shown about 7 minutes and
9	A I have to rely on what's in the	9	16 seconds into the videotaped statement
10	transcript. I don't remember specifically on my	10	confession of Xavier Walker, and you were asked to
11	own.	11	11 look at his left wrist, and asked if you saw
12	BY MS. ITCHHAPORIA:	12	12 anything on his left hand, and you said you didn't
13	Q Sure. And that is what the transcript	13	13 see anything; is that right?
14	says, right? That you were shown about five	14	MS. REED: Same objections.
15	minutes of a close-up of Xavier Walker?	15	BY THE WITNESS:
16	MS. REED: Same objections.	16	A That's what the transcript says.
17	BY THE WITNESS:	17	BY MS. ITCHHAPORIA:
18	A That's what the transcript says.	18	Q Okay. When you were in the area on
19	BY MS. ITCHHAPORIA:	19	19 May 29th, 2000, either interviewing Xavier Walker
20	Q Okay. Looking at Page 70 of the	20	20 or doing the trial run or taking his videotaped
21	transcript, Line 1.	21	21 statement, did you become aware that ASA Thomas
22	"QUESTION: At approximately six minutes	22	22 Mahoney was also at the area on the same case that
23	and 41 seconds into the videotaped interview, do	23	23 you were on?
24	you see the defendant's right wrist again and do	24	MS. REED: Objection, lack of foundation,

Transcript of Joanna Liotine-Leafblad

79 (313 to 316)

Conducted on July 7, 2022

<p>313</p> <p>1 assumes facts not in evidence, calls for 2 speculation, and form. 3 BY THE WITNESS: 4 A I just -- I don't remember the -- I don't 5 remember being there. I don't remember the case 6 specifically, so I don't remember who else was 7 there.</p> <p>8 BY MS. ITCHHAPORIA:</p> <p>9 Q Okay. Do you -- do you -- I think I know 10 the answer to this, but do you recall seeing ASA 11 Thomas Mahoney at any point in time at the Area on 12 May 29th or May 30th, 2000?</p> <p>13 MS. REED: I'm going to object to lack of 14 foundation, calls for speculation.</p> <p>15 BY THE WITNESS:</p> <p>16 A I don't remember.</p> <p>17 BY MS. ITCHHAPORIA:</p> <p>18 Q Did you become aware when you were in the 19 Area on May 29th that ASA Thomas Mahoney was 20 taking a handwritten statement from a witness by 21 the name of Maurice Wright also known as Boo Boo?</p> <p>22 MS. REED: Same objections.</p> <p>23 BY THE WITNESS:</p> <p>24 A I just don't remember.</p>	<p>315</p> <p>1 MS. REED: Same objections. 2 BY THE WITNESS: 3 A I don't remember if we talked about it 4 there or somewhere else or whether we talked about 5 it at all.</p> <p>6 BY MS. ITCHHAPORIA:</p> <p>7 Q Do you know if ASA Thomas Mahoney was 8 still at the Area when you were done with the 9 videotaped statement of Xavier Walker?</p> <p>10 MS. REED: Same objections, as well as 11 assumes facts not in evidence and mischaracterizes 12 prior testimony.</p> <p>13 BY THE WITNESS:</p> <p>14 A I don't remember.</p> <p>15 BY MS. ITCHHAPORIA:</p> <p>16 Q Other than talking to Xavier Walker about 17 how he had been treated by the police, based on 18 your testimony that we looked at earlier, do you 19 know what else you did from the time his interview 20 ended at around 10:45 p.m. and until his 21 videotaped statement began at 11:43 p.m.?</p> <p>22 MS. REED: I'm going to object to lack of 23 foundation, calls for speculation, assumes facts 24 not in evidence, mischaracterize prior testimony,</p>
<p>314</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q Okay. I'll represent to you that the 3 handwritten statement for Maurice Wright was taken 4 on May 29th, 2000, at 10:30 p.m. So almost an 5 hour and 15 minutes before the videotaped 6 statement of Xavier Walker was taken, okay?</p> <p>7 With that representation, are you able to 8 tell me if you would have either seen or discussed 9 with Thomas Mahoney what the contents or substance 10 was of the handwritten statement of Maurice Wright 11 before the videotaped statement confession began 12 of Xavier Walker?</p> <p>13 MS. REED: I'm going to object to -- go 14 ahead, John.</p> <p>15 MR. COYNE: Objection, form.</p> <p>16 Go ahead.</p> <p>17 MS. REED: Join objection, as well as 18 speculation and lack of foundation.</p> <p>19 BY THE WITNESS:</p> <p>20 A I just don't remember.</p> <p>21 BY MS. ITCHHAPORIA:</p> <p>22 Q Did you talk to ASA Thomas Mahoney about 23 approving murder charges against Xavier Walker 24 when you were at the area on May 29, 2000?</p>	<p>316</p> <p>1 and form.</p> <p>2 BY THE WITNESS:</p> <p>3 A I do not remember.</p> <p>4 BY MS. ITCHHAPORIA:</p> <p>5 Q During the --</p> <p>6 MR. COYNE: Misha, let me ask you real 7 quick, we've been going over an hour and a half. 8 I need to take a five-minute break here to make 9 sure I'm not interrupted in this office. Whenever 10 that's good for you, we can do it now or within 11 the next five to six minutes should work.</p> <p>12 MS. ITCHHAPORIA: Yeah, I think I'm 13 wrapping up in five to six minutes, John.</p> <p>14 MR. COYNE: Okay. Go right ahead.</p> <p>15 MS. ITCHHAPORIA: Okay.</p> <p>16 BY MS. ITCHHAPORIA:</p> <p>17 Q In that hour time frame we're talking 18 about, 10:43 to 11:43, did you remain at the Area?</p> <p>19 MS. REED: Objection, asked and answered, 20 as well as lack of foundation, calls for 21 speculation.</p> <p>22 BY THE WITNESS:</p> <p>23 A I don't remember. I mean, I can assume I 24 did, but I don't really remember if I stayed</p>

Transcript of Joanna Liotine-Leafblad

80 (317 to 320)

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<p style="text-align: right;">317</p> <p>1 there, if I left and came back. I don't remember.</p> <p>2 BY MS. ITCHHAPORIA:</p> <p>3 Q When you were in Felony Review in May 4 of 2000, were you given a car from the CCSAO? How 5 did that work?</p> <p>6 MS. REED: I'm going to object to 7 relevance.</p> <p>8 BY THE WITNESS:</p> <p>9 A There were cars that we could use while we 10 were working.</p> <p>11 BY MS. ITCHHAPORIA:</p> <p>12 Q Okay. And so you would use those cars to 13 go, like, back and forth between the Area and the 14 office at 26th and Cal?</p> <p>15 A Most of the time, yes.</p> <p>16 Q Okay. Is there anything that you recall 17 about your interactions with Xavier Walker that we 18 haven't discussed today?</p> <p>19 MS. REED: I'm going to object to lack of 20 foundation, calls for speculation, and hearsay.</p> <p>21 BY THE WITNESS:</p> <p>22 A No. Outside of what I've seen in the 23 transcripts and the video and everything else, I 24 don't -- I can't think of anything else.</p>	<p style="text-align: right;">319</p> <p>1 MR. COYNE: Anyone else?</p> <p>2 MS. REED: I just have a few questions.</p> <p>3 MR. COYNE: Sierra, about how much do you 4 have? Because I do need to take a five-minute 5 break, but if it's --</p> <p>6 MS. REED: About five questions, but, 7 John, I am totally okay with you taking a break.</p> <p>8 MR. COYNE: Go ahead. No one's 9 interrupted me yet. We're good, Sierra.</p> <p>10 EXAMINATION</p> <p>11 BY MS. REED:</p> <p>12 QOkay. I want to reintroduce myself. My 13 name is Sierra Reed. I am appearing on behalf of 14 Attorney Jeanette Samuels, who is the attorney for 15 plaintiff in this case. I just have about maybe 16 four or five questions to ask you.</p> <p>17 I understand that your recollection of 18 this case is very scarce. Do you recall going to 19 the house to do any interview -- witness 20 interviews in this case?</p> <p>21 MS. ADEEYO: Object to form.</p> <p>22 BY THE WITNESS:</p> <p>23 A I don't recall going to the witness's 24 houses. I don't -- I just don't remember it.</p>
<p style="text-align: right;">318</p> <p>1 BY MS. ITCHHAPORIA:</p> <p>2 Q And seeing all those exhibits today, has 3 any of that refreshed your recollection about any 4 interaction that you had with Xavier Walker?</p> <p>5 A No.</p> <p>6 Q Same question as to Mary Curry.</p> <p>7 A No.</p> <p>8 Q Same question as to Ashanti Wright.</p> <p>9 A No.</p> <p>10 Q Are there any other documents that you are 11 aware of that would have been generated or that 12 you just are aware of that would refresh your 13 recollection about your interactions with Xavier 14 Walker, Mary Curry, or Ashanti Wright that you --</p> <p>15 MS. REED: I'm going to --</p> <p>16 BY MS. ITCHHAPORIA:</p> <p>17 Q -- today?</p> <p>18 MS. REED: I'm going to object to lack of 19 foundation, calls for speculation, and form.</p> <p>20 BY THE WITNESS:</p> <p>21 A No, I can't think of any.</p> <p>22 BY MS. ITCHHAPORIA:</p> <p>23 Q Okay.</p> <p>24 MS. ITCHHAPORIA: I have nothing further.</p>	<p style="text-align: right;">320</p> <p>1 BY MS. REED:</p> <p>2 Q During your term or your time as a felony 3 review attorney or -- sorry, Felony Review ASA, do 4 you or did you happen to go to witness's houses to 5 take witness statements?</p> <p>6 MS. ADEEYO: Object to form.</p> <p>7 BY THE WITNESS:</p> <p>8 A There were times when I did. I will say 9 that. I just don't have specific recollections of 10 who the witnesses were or which case they were 11 associated with.</p> <p>12 BY MS. REED:</p> <p>13 Q Do you have any recollection of why you 14 would have to go to the house to take a witness 15 statement?</p> <p>16 MS. ADEEYO: Object to form, foundation.</p> <p>17 BY THE WITNESS:</p> <p>18 A I don't know. There could -- I could make 19 an assumption, but I don't really know 20 specifically what the reason would be.</p> <p>21 BY MS. REED:</p> <p>22 Q Do you know what circumstances you would 23 have, what circumstances there would be to make 24 you go to a suspect's home for a statement?</p>

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81 (321 to 324)

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	321		323
1	MS. ADEEYO: Same objection.	1	BY MS. REED:
2	BY THE WITNESS:	2	Q Scratch the question.
3	A No.	3	Do you know if you would have to get
4	BY MS. REED:	4	approval to go to a witness or suspect's house to
5	Q Can you recall any circumstances off the	5	collect a statement?
6	top of your head that you could think of that	6	MS. ADEEYO: Object to form, foundation.
7	would require you to go to a witness's house for a	7	MS. ITCHHAPORIA: Join.
8	statement?	8	BY THE WITNESS:
9	MS. ADEEYO: Same objections.	9	A I don't recall if I would have had to get
10	BY THE WITNESS:	10	approval or not.
11	A No, I don't know why -- I mean, there	11	BY MS. REED:
12	could be a -- I would -- I don't know why without	12	Q Do you have to document anywhere that you
13	assuming, so I don't know -- each case would have	13	requested or got approval to get -- sorry, to go
14	a different purpose, so I don't know why.	14	14 to a witness's house or suspect's house to get a
15	BY MS. REED:	15	15 statement?
16	Q Is that a normal practice to be able to go	16	MS. ADEEYO: Same objections.
17	to a witness or suspect's house to collect a	17	MS. ITCHHAPORIA: Join. Assumes facts.
18	statement?	18	BY THE WITNESS:
19	MS. ADEEYO: Objection, form, foundation.	19	A I don't recall -- I don't recall that we
20	BY THE WITNESS:	20	had to get permission, and I don't recall how we
21	A At the time -- at that time, I wouldn't	21	22 would have asked to do it. I just don't have any
22	call it a practice, but there were times where it	22	recollection of that.
23	was warranted.	23	BY MS. REED:
24		24	Q Sure. Do you recall whether or not you
	322		324
1	BY MS. REED:	1	had to tell anyone you were actually going out to
2	Q What times would that have been when it	2	2 a suspect's or a witness's house to collect a
3	was warranted?	3	3 statement?
4	A I don't have a specific recollection as to	4	MS. ADEEYO: Object to form.
5	when -- as to exactly why it would be warranted,	5	BY THE WITNESS:
6	but I know that it's not something that was done	6	A Well, I will say that I wouldn't go by
7	all the time.	7	myself, so it's likely that I would have gone in
8	MS. ITCHHAPORIA: I'll object to form on	8	the company of a detective. And so I imagine that
9	that and incomplete hypothetical.	9	I would have -- I don't know if I had a practice
10	BY MS. REED:	10	specifically of who I would have told.
11	Q Do you know why it was warranted in this	11	I think, just for myself, I would have
12	case, to go to a witness's house to collect a	12	told people because I would have wanted people to
13	statement?	13	know where I was. But in terms of a specific
14	MS. ADEEYO: Objection, form.	14	practice, I don't have -- I don't recall if there
15	MS. ITCHHAPORIA: Asked and answered,	15	was one or what that was.
16	lacks foundation, and form.	16	BY MS. REED:
17	MS. ADEEYO: Join.	17	Q Okay. Is it -- would it be normal for you
18	BY THE WITNESS:	18	18 to go to a suspect's or a witness's house to
19	A I do not.	19	19 collect a statement during the evening to
20	BY MS. REED:	20	20 nighttime? And when I say evening to nighttime, I
21	Q Do you know if you would have had to	21	21 mean 5:00 p.m. to 12:00 a.m.
22	document that anywhere?	22	Would that be something that is normal for
23	MS. ADEEYO: Objection, form.	23	23 you to do during your time at the Felony Review
24		24	24 Unit?

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82 (325 to 328)

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	325		327
1	MS. ADEEYO: Object to form, foundation.	1	conversation with Ashanti Wright about what time
2	BY THE WITNESS:	2	was appropriate to go to her house to take a
3	A I'm not sure I understand the question.	3	statement?
4	Are you asking if the hours were -- like, are	4	MS. ADEEYO: Object to form.
5	there normal hours as opposed to different hours	5	BY THE WITNESS:
6	of the day or night?	6	A I do not recall.
7	BY MS. REED:	7	BY MS. REED:
8	Q So not normal hours. What I'm asking you	8	Q Do you recall her giving you permission to
9	is that any time after 5:00 p.m. to, let's just	9	come to her house to collect a statement?
10	say, something 1:00 or 2:00 in the morning, is it	10	MS. ADEEYO: Object to form.
11	normal for you to still be able to go to a suspect	11	BY THE WITNESS:
12	or witness's house during those late hours to	12	A I do not recall.
13	collect a statement?	13	BY MS. REED:
14	MS. ADEEYO: Object to form, foundation,	14	Q Do you recall having a conversation with
15	incomplete hypothetical.	15	any of the witnesses in this case about
16	BY THE WITNESS:	16	appropriate times they were available to come to
17	A I can't speak to whether it's, like, a	17	their house to collect a statement?
18	common form or normal. I think that if --	18	MS. ADEEYO: Object to form, foundation.
19	frankly, I'm assuming that it would be when we --	19	MS. ITCHHAPORIA: Join.
20	that we would have gone when the witness said they	20	BY THE WITNESS:
21	were available. So that's my -- that would -- I	21	A I do not recall.
22	don't recall any other reasons or practices in	22	BY MS. REED:
23	terms of time.	23	Q Okay.
24		24	MS. REED: We can take a five-minute
	326		328
1	BY MS. REED:	1	break. I think that's all I have, but I want to
2	Q So do you only go to a house -- or a --	2	make sure.
3	let me -- do you only go to a suspect or witness's	3	MS. ITCHHAPORIA: And, John, just so you
4	house to collect a statement when they tell you	4	know, I probably have two minutes' worth of
5	they're available to take or give that statement?	5	questioning once Ms. Reed's done.
6	MS. ADEEYO: Object to form, misstates the	6	MR. COYNE: Okay. That's fine.
7	witness's prior testimony.	7	(WHEREUPON, a recess was had.)
8	BY THE WITNESS:	8	BY MS. REED:
9	A Again, I can't state specifically whether	9	Q There wasn't a question pending before we
10	there is a -- whether there was a common practice	10	left, so I want to pick up where we left off.
11	at the time or what it was, but I say that -- I	11	Do you recall during the robbery and
12	say that only because we -- if we're going to go	12	shooting death of Mark Maddock [sic] during an
13	to somebody's house, we'd want to be sure that	13	investigation, whether or not Ashanti Wright gave
14	they were there.	14	you permission to come to her house at 6:10 in the
15	So, to that end, it would require some	15	morning for a statement interview?
16	previous discussion with the witness, okay, but I	16	MS. ADEEYO: Object to form and
17	don't -- again, this is me -- this is -- I suppose	17	foundation.
18	it's a common-sense application. I don't have a	18	MR. COYNE: Join.
19	specific -- I don't have reference to a specific	19	BY THE WITNESS:
20	application in the office, nor do I have any	20	A Do I recall whether she gave me
21	memory of having any kind of specific practice in	21	permission?
22	terms of that.	22	BY MS. REED:
23	BY MS. REED:	23	Q To come to her house at 6:10 in the
24	Q Do you recall whether or not you had a	24	morning to collect a statement from her and

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83 (329 to 332)

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<p>1 conduct an interview.</p> <p>2 MS. ADEEYO: Same objection.</p> <p>3 BY THE WITNESS:</p> <p>4 A I don't recall. I'm not sure if I'm the one who made the meeting appointment with her, but I don't recall who did if it wasn't me.</p> <p>5 BY MS. REED:</p> <p>6 Q Do you recall whether or not you received permission from Maurice Wright to come to his home at 10:30 at night to conduct an interview and get a statement from him?</p> <p>7 MS. ADEEYO: Object to the form and foundation.</p> <p>8 MR. COYNE: Join.</p> <p>9 BY THE WITNESS:</p> <p>10 A I don't remember doing Maurice Wright's statement, so I'm -- I don't remember getting permission -- I don't remember if I'm even the one who made the appointment.</p> <p>11 BY MS. REED:</p> <p>12 Q During your time as an ASA, which I believe you stated was March of 1996 until April of 2003 and then from September of 2021 to present, during that time period as ASA, have you</p>	<p>329</p> <p>1 confession was later exonerated. Is that something you should know?</p> <p>2 MS. ADEEYO: Same objections.</p> <p>3 MR. COYNE: Join.</p> <p>4 BY THE WITNESS:</p> <p>5 A I don't know how I would know without following their cases, and so I don't follow everybody's cases.</p> <p>6 BY MS. REED:</p> <p>7 Q If there was someone you took a statement or confession from that was later exonerated, would you care that they were exonerated or that they were falsely convicted?</p> <p>8 MS. ADEEYO: Object to form.</p> <p>9 MR. COYNE: Join.</p> <p>10 MS. ITCHHAPORIA: Join.</p> <p>11 BY THE WITNESS:</p> <p>12 A Would I care?</p> <p>13 BY MS. REED:</p> <p>14 Q Do you care?</p> <p>15 MS. ADEEYO: Same objection.</p> <p>16 MR. COYNE: Join.</p> <p>17 BY THE WITNESS:</p> <p>18 A Yeah, of course I care. I mean, I'm not</p>
<p>1 ever questioned or taken a statement and confession from someone who was later exonerated?</p> <p>2 MS. ADEEYO: Object to foundation.</p> <p>3 BY THE WITNESS:</p> <p>4 A I'm not sure of that answer because I have -- well, this is the only case I've ever been called as a witness in this manner, so I'm not sure if somebody else was later exonerated.</p> <p>5 BY MS. REED:</p> <p>6 Q Is that something you should know, if someone you've taken a statement confession from was later exonerated?</p> <p>7 MR. COYNE: Objection, form.</p> <p>8 MS. ADEEYO: Objection, form,</p> <p>9 argumentative.</p> <p>10 BY THE WITNESS:</p> <p>11 A Is that something I should know?</p> <p>12 BY MS. REED:</p> <p>13 Q Yes.</p> <p>14 A Like, are you asking if I should continue following the cases of these individuals to see what happens?</p> <p>15 Q No, I'm asking if you should know whether or not someone you gave -- took a statement for</p>	<p>330</p> <p>1 sure how that is material to this particular case, but, in general, yes, of course I would care.</p> <p>2 MS. REED: That's all the questions I have.</p> <p>3 MS. ADEEYO: I have nothing based on that.</p> <p>4 Misha?</p> <p>5 MS. ITCHHAPORIA: Yeah, a few follow-up questions.</p> <p>6 FURTHER EXAMINATION</p> <p>7 BY MS. ITCHHAPORIA:</p> <p>8 Q Ms. Leafblad, did you become aware at any point in time that Xavier Walker's conviction had been vacated?</p> <p>9 A Well --</p> <p>10 MS. REED: I'm just going to object to lack of foundation.</p> <p>11 BY THE WITNESS:</p> <p>12 A Well, I kind of assumed it because of this proceeding.</p> <p>13 BY MS. ITCHHAPORIA:</p> <p>14 Q Prior to receiving a subpoena to testify at your deposition today, did you become aware that his conviction had been vacated, Xavier Walker's conviction?</p>
<p>1 conduct an interview.</p> <p>2 MS. ADEEYO: Same objection.</p> <p>3 BY THE WITNESS:</p> <p>4 A I don't recall. I'm not sure if I'm the one who made the meeting appointment with her, but I don't recall who did if it wasn't me.</p> <p>5 BY MS. REED:</p> <p>6 Q Do you recall whether or not you received permission from Maurice Wright to come to his home at 10:30 at night to conduct an interview and get a statement from him?</p> <p>7 MS. ADEEYO: Object to the form and foundation.</p> <p>8 MR. COYNE: Join.</p> <p>9 BY THE WITNESS:</p> <p>10 A I don't remember doing Maurice Wright's statement, so I'm -- I don't remember getting permission -- I don't remember if I'm even the one who made the appointment.</p> <p>11 BY MS. REED:</p> <p>12 Q During your time as an ASA, which I believe you stated was March of 1996 until April of 2003 and then from September of 2021 to present, during that time period as ASA, have you</p>	<p>329</p> <p>1 confession was later exonerated. Is that something you should know?</p> <p>2 MS. ADEEYO: Same objections.</p> <p>3 MR. COYNE: Join.</p> <p>4 BY THE WITNESS:</p> <p>5 A I don't know how I would know without following their cases, and so I don't follow everybody's cases.</p> <p>6 BY MS. REED:</p> <p>7 Q If there was someone you took a statement or confession from that was later exonerated, would you care that they were exonerated or that they were falsely convicted?</p> <p>8 MS. ADEEYO: Object to form.</p> <p>9 MR. COYNE: Join.</p> <p>10 MS. ITCHHAPORIA: Join.</p> <p>11 BY THE WITNESS:</p> <p>12 A Would I care?</p> <p>13 BY MS. REED:</p> <p>14 Q Do you care?</p> <p>15 MS. ADEEYO: Same objection.</p> <p>16 MR. COYNE: Join.</p> <p>17 BY THE WITNESS:</p> <p>18 A Yeah, of course I care. I mean, I'm not</p>
<p>1 ever questioned or taken a statement and confession from someone who was later exonerated?</p> <p>2 MS. ADEEYO: Object to foundation.</p> <p>3 BY THE WITNESS:</p> <p>4 A I'm not sure of that answer because I have -- well, this is the only case I've ever been called as a witness in this manner, so I'm not sure if somebody else was later exonerated.</p> <p>5 BY MS. REED:</p> <p>6 Q Is that something you should know, if someone you've taken a statement confession from was later exonerated?</p> <p>7 MR. COYNE: Objection, form.</p> <p>8 MS. ADEEYO: Objection, form,</p> <p>9 argumentative.</p> <p>10 BY THE WITNESS:</p> <p>11 A Is that something I should know?</p> <p>12 BY MS. REED:</p> <p>13 Q Yes.</p> <p>14 A Like, are you asking if I should continue following the cases of these individuals to see what happens?</p> <p>15 Q No, I'm asking if you should know whether or not someone you gave -- took a statement for</p>	<p>330</p> <p>1 sure how that is material to this particular case, but, in general, yes, of course I would care.</p> <p>2 MS. REED: That's all the questions I have.</p> <p>3 MS. ADEEYO: I have nothing based on that.</p> <p>4 Misha?</p> <p>5 MS. ITCHHAPORIA: Yeah, a few follow-up questions.</p> <p>6 FURTHER EXAMINATION</p> <p>7 BY MS. ITCHHAPORIA:</p> <p>8 Q Ms. Leafblad, did you become aware at any point in time that Xavier Walker's conviction had been vacated?</p> <p>9 A Well --</p> <p>10 MS. REED: I'm just going to object to lack of foundation.</p> <p>11 BY THE WITNESS:</p> <p>12 A Well, I kind of assumed it because of this proceeding.</p> <p>13 BY MS. ITCHHAPORIA:</p> <p>14 Q Prior to receiving a subpoena to testify at your deposition today, did you become aware that his conviction had been vacated, Xavier Walker's conviction?</p>

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Conducted on July 7, 2022

<p>1 A Not that I can recall, no.</p> <p>2 Q Did anybody from the Cook County State's 3 Attorney's Office consult with you prior to 4 agreeing to vacate his conviction?</p> <p>5 A Not that I recall, no.</p> <p>6 Q Were you ever interviewed or did you ever 7 interact or communicate with CIU ASA Mark 8 Rotert -- that's R-o-t-e-r-t -- about Xavier 9 Walker's case?</p> <p>10 A No, I don't think so.</p> <p>11 Q As you sit here today, are you aware that 12 Xavier Walker received a certificate of innocence?</p> <p>13 A Am I aware of it? Again, I think I 14 assumed it because of this case.</p> <p>15 Q Were you given any sort of notice by the 16 Cook County State's Attorney's Office that Xavier 17 Walker had filed a petition for a certificate of 18 innocence?</p> <p>19 A I don't even know when he filed it, so I 20 don't think so.</p> <p>21 Q Did you testify in any post-conviction 22 proceeding involving Xavier Walker?</p> <p>23 A I don't think I did, no. There would be a 24 transcript of that. I don't think I did.</p>	<p>333</p> <p>1 MR. COYNE: Objection, form, foundation. 2 MS. ADEEYO: Join. 3 MS. ITCHHAPORIA: Join. 4 BY THE WITNESS:</p> <p>5 A Do I care that he was wrongfully convicted 6 and exonerated? Like, it's -- I mean, do I care 7 that he was wrongfully convicted? Of course I do. 8 Do I care that he was exonerated, if it has been 9 established that he was -- that something was -- 10 that he should not have been found guilty, then I 11 guess him being exonerated is the right thing.</p> <p>12 I don't -- that's kind of personal, so as 13 a human being, nobody likes to see people falsely 14 accused.</p> <p>15 MS. REED: I don't have any other 16 questions.</p> <p>17 MS. ITCHHAPORIA: I have a follow-up based 18 on that. Sorry. A couple questions, 19 Ms. Leafblad.</p> <p>20 FURTHER EXAMINATION</p> <p>21 BY MS. ITCHHAPORIA:</p> <p>22 Q Do you know if the -- do you know why the 23 State's Attorney's Office decided to vacate Xavier 24 Walker's conviction?</p>
<p>1 Q Did you testify at any proceeding 2 involving a certificate or petition for a 3 certificate of innocence with Xavier Walker?</p> <p>4 A No.</p> <p>5 Q Did anyone from the Cook County State's 6 Attorney's Office consult with you before the 7 State's Attorney's Office decided to take no 8 position on Xavier Walker's petition for a 9 certificate of innocence?</p> <p>10 A No, I don't think so. I don't even know 11 when that occurred.</p> <p>12 MS. ITCHHAPORIA: No questions -- no 13 further questions. Thank you.</p> <p>14 MR. COYNE: Anyone else?</p> <p>15 MS. REED: Based on that, just one 16 question.</p> <p>17 FURTHER EXAMINATION</p> <p>18 BY MS. REED:</p> <p>19 Q Now that you are aware that Xavier 20 Walker's conviction was vacated and he received a 21 certificate of innocence, my question -- my 22 previous question to you stands: Do you care that 23 he was convicted and then exonerated -- wrongfully 24 convicted and then exonerated?</p>	<p>334</p> <p>1 A No.</p> <p>2 Q Do you know if the State's Attorney's 3 Office made any determination as to Xavier 4 Walker's innocence or guilt before they decided to 5 over -- agreed to vacate his conviction?</p> <p>6 A No. I was not a party to any of that, so 7 I have no idea.</p> <p>8 MS. ITCHHAPORIA: Okay. No questions 9 further.</p> <p>10 MR. COYNE: Okay. Anyone else?</p> <p>11 MS. REED: No.</p> <p>12 MR. COYNE: All right. Joanna, you have 13 the right to review your transcript. You can't 14 make any substantive changes to your testimony, 15 but you have the right to review the transcript 16 before it's finalized.</p> <p>17 You can reserve that right and provide 18 signature or you can waive signature. Which do 19 you so choose?</p> <p>20 THE WITNESS: I would like to review it.</p> <p>21 MR. COYNE: Signature reserved. Thank 22 you, everyone.</p> <p>23 (WHEREUPON, the deposition was concluded 24 at 3:52 p.m.)</p>

